

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.9.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.A.No.2088 of 2018
and
C.M.P.No.16388 of 2018

1. The State of Tamil Nadu
rep. by its Special Secretary to
Government,
Animal Husbandry, Dairying and Fisheries
Department,
Fort St. George, Chennai 600 009.
 2. The Commissioner of Animal
Husbandry and Veterinary Services,
Chennai 600 006.
 3. The Regional Joint Director of
Animal Husbandry,
Kancheepuram,
Kancheepuram District.
- ...Appellants
- Versus
- M.Rajendran
- ...Respondent

Prayer: Writ Appel filed under Clause 15 of the Letters Patent against the order dated 8.11.2016 W.P.No.24089 of 2013 on the file of this court.

W.P.No.24089 of 2013

Petition on praying to call for the records connected in Pro. Na.Ka. No.2292/ A/2002 dated 18.4.2003 of the 3rd respondent and also Pro. Na.Ka. No.17969/ L2/01 dated 27.10.2003 of the 2nd respondent and quash the same and consequently direct the respondents to reinstate the petitioner into service in the Lower Post of Flockman as given to Mr.P.Sekar P.Palanivelu V.S.Sekar and V.Manikkam in pursuant to the order of the Honourable High Court in W.P.No.19063 of 2004 dated 16.2.2008 W.P.No.18294 of 2009 dated 19.4.2010 W.P.No.14579 of 2005 dated 29.2.2012 and W.P. No.31318 of 2005 dated

29.2.2012 respectively.

For appellant : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

JUDGMENT

(Judgment of the court was made by K.KALYANASUNDARAM, J.)

This writ appeal has been filed by the State challenging the order passed by the learned Single Judge in W.P.No.24089 of 2013 dated 8.11.2016.

2. The writ petitioner was appointed as Flockman on 19.4.1985 and he was promoted as Livestock Inspector Grade II on 4.4.2001 and the appellants having found that the respondent had produced a forged certificate for getting the promotion to the post of Livestock Inspector Grade II, has dismissed him from service.

3. The learned Single Judge, by following the decision of this court in P.SEKAR v. THE REGISTRAR, TAMIL NADU ADMINISTRATIVE TRIBUNAL, CHENNAI AND OTHERS (2008 (3) CTC 23) and the unreported judgment in W.P.No.26940 of 2009, dated 22.12.2014, modified the punishment of dismissal into one of reversion.

4. We find no reason to interfere with the order passed by the learned Single Judge. At this juncture, it is brought to the notice of this court by the learned Special Government Pleader appearing for the appellants that the respondent herein had already attained the age of superannuation. Therefore, the appellants are directed to compute and settle the retirement benefits of the respondent herein in accordance with law, within a period of two months from the date of receipt of a copy of this judgment. The writ appeal fails and is dismissed. No costs. The connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ssk.

To:

1. The State of Tamil Nadu
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3. The Regional Joint Director of
Animal Husbandry,
Kancheepuram,
Kancheepuram District.

+1cc to Mr.E.Felix Parthiban, Advocate, S.R.No.67324

+1cc to the Government Pleader, S.R.No.67467

W.A.No.2088 of 2018

SAI (CO)
GSP (14/11/2018)



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