

IN THE HIGH COURT OF JUDICATURE AT MARAS
DATED:20.03.2018
CORAM :
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
W.P.No.17795 of 2014

Devarajan

... Petitioner

Vs

1.The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai 600 015.

2.The Secretary to Government,
Environment and Forests Department,
Secretariat, Chennai 600 009. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus to call for the records on the file of the first respondent relating to No.V/42870/2011-6, dated 9.10.2013 and quash the same and consequently direct the respondents to permit the petitioner to retire from service with all monetary and service benefits and to disburse the same.

For Petitioner : Mrs.Selvi George

For Respondents : Mr.C.Mani Shankar,
Additional Advocate General
Assisted by
Mr.R.Bala Ramesh,
Special Government Pleader (Forest)

O R D E R

Mr.C.Mani Shankar, learned Additional Advocate General produced the copy G.O.(Ms).No.25, Environment and Forests (FR.12) Department, dated 19.03.2018 before this Court.

2.By G.O.Ms.No.25, Environment and Forests (FR.12) Department, dated 19.03.2018, order of punishment of removal from service imposed on the petitioner has been cancelled and subsistence allowance was also directed to be paid to the petitioner. Paragraph 13 of the G.O.Ms.No.25, Environment and Forests (FR.12) Department, dated 19.03.2018, is usefully extracted as follows:

"The Government, after a detailed deliberation, has decided to dispose the mercy petitions preferred by the five officials mentioned at para 12(a) above by invoking rule 36(1) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, in which Government is empowered to take revision and keeping in mind the mercy petitions preferred by the individuals,

(i)cancel the order in which the punishment of removal from services imposed in the proceedings fourth, fifth, sixth, seventh and ninth read above on Tvl.R.Devarajan, N.Thangavelu, R.Krishnamurthy, S.Ramasamy and D.Mariappan all then FROs and these five individuals shall be deemed to have been placed under suspension on and from the date of order of removal from service and the disciplinary proceedings shall be proceeded under Rule 17(c) (i) of the Tamil nadu Civil Services (Discipline and Appeal) Rules.

(ii)Considering the special circumstances of the case, subsistence allowance to the five individuals referred at para 12(a) above, shall be paid from the date of issue of this order, since the cancellation of the original order of removal from service itself is a benevolent gesture to the individuals. The Principal Chief Conservator of Forests is hereby directed to workout the quantum of subsistence allowance eligible to the above said five individuals."

3.In view of the above, nothing survives in the Writ Petition and is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

sai

TO

1.The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai 600 015.

2.The Secretary to Government,
Environment and Forests Department,
Secretariat, Chennai 600 009.

VGII(CO)
sm:9.4.2018

W.P.No.17795 of 2014