

IN THE JUDICATE OF MADRAS HIGH COURT

DATE : 19.07.2018

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THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.Nos.18648 and 19367 of 2004

A. Soundararajan ... Petitioner in both the Writ Petitions

Vs.

1. The Principal Chief Conservator of Forests.
Chennai - 600 015

2. The Conservator of Forests,
Dindigul Circle, Dindigul

3. P. Thangiah Respondents

Writ Petitions filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus to call for the records comprised in the proceedings of the First Respondent in Pro.C.No.B2/17400/2004 dated 28.06.2004 and 30.06.2004, quash the same and issue consequential directions to the First and Second Respondents to allow the Petitioner continue to serve as Forest Ranger at Thandigudy H.P.Act Range, Dindigul Division.

For Petitioner : Mr.M. Ravi

For R.1 & R.2 : Mr.Santhanaraman
AGP (Forests)

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COMMON ORDER

The Petitioner has challenged his order of transfer allotting him to Dindigul Circle for posting in Thandikudi HP Range of Dindigul Division.

2. This Court by Order dated 11.09.2004 in WPMP No.23304 of 2004 had dismissed the application for stay of the impugned order holding as follows:

" The impugned order in the Writ Petition is the order dated 30.06.2004, wherein the Petitioner is transferred from the post of Ranger, Thandikudi HP Range of Dindigul Division, Dindigul Circle to Erode Range of Minor Forest Produce Division, Salem.

2. When the matter came up on 09.07.2004, it was represented before the learned Judge that already in the place from where the Petitioner was transferred, viz., Thandikudi HP Range of Dindigul Division, Dindigul Circle, Third Respondent has joined

duty. If that is so, the Petitioner is not entitled for the grant of an order of stay. However, the learned counsel for the Petitioner would contend that even in the place to which the Petitioner was transferred, some other individual has joined duty and the Petitioner is left with no place to join.

3. The learned Special Government Pleader for Forests contradicted the above statement and also would contend that the said post is still available and vacant and it is for the petitioner to go and join duty.

4. In the light of the above contentions urged by both parties, though I am not inclined to stay the impugned order, there will be a direction to the First Respondent to permit the Petitioner to join the post to which he had already been transferred. The petitioner is directed to report before the Second Respondent to join in the transferred place. With the above direction, the Petition is dismissed.

3. When the matters are taken up for hearing today, Mr. Santhanaraman, learned Additional Government Pleader (Forests) submits that the Petitioner was subsequently promoted as DFO and retired from service on 31.01.2018 and he has also made an

endorsement to that effect.

3. In view of the aforesaid subsequent events, nothing survives for consideration in this matter at this distant point of time and accordingly, both the Writ Petitions are dismissed. No costs.

Sd/-

Assistant Registrar (CS VIII)

//True Copy//

Sub Assistant Registrar

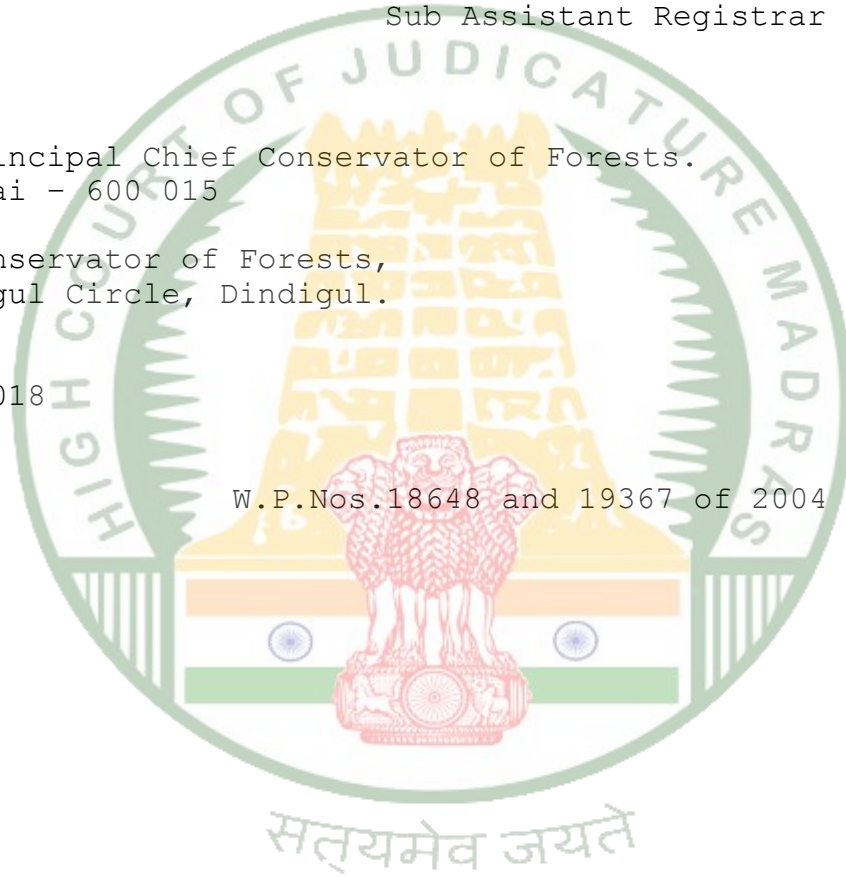
To

1. The Principal Chief Conservator of Forests.
Chennai - 600 015

2. The Conservator of Forests,
Dindigul Circle, Dindigul.

GP(CO)
sm:10.8.2018

W.P.Nos.18648 and 19367 of 2004



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