

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 07.10.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. Nos.28769 to 28776 of 2013

and

M.P.Nos.1, 1, 1, 1, 1, 1, 1 & 1 of 2013

1. A.Perumal ...Petitioner in WP.No.28769/2013
2. A.Joseph ...Petitioner in WP.No.28770/2013
3. P.Govindarajan ...Petitioner in WP.No.28771/2013
4. A.Velu ...Petitioner in WP.No.28772/2013
5. G.Sivakumar ...Petitioner in WP.No.28773/2013
6. V.Duraisamy ...Petitioner in WP.No.28774/2013
7. M.Rajendran ...Petitioner in WP.No.28775/2013
8. K.R.Ravindran ...Petitioner in WP.No.28776/2013

- Vs -

1. The State of Tamilnadu,
Rep. By its Secretary of Government,
Environment and forest Department,
Secretariat, Fort. St. George,
Chennai-9. ...Ist Respondent in
WP.No.28769 to 28776/2013
2. The Principal Chief Conservator of Forest,
(Head of Forest Force)
Panagal Building,
Chennai -15. ...2nd Respondent in
WP.No.28769 to 28776/2013
3. The District Forest Officer
Tirupattur Division,
Tirupattur, Vellore District ...3rd Respondent in
WP.No.28769 to 28776/2013
4. The Divisional Forest Officer,
Modern Nursery Division,
Dharmapuri District. ...3rd Respondent in
WP.No.28770/2013

5. The District Forest Officer,
Hosur Forest Division,
Hosur, Krishnagiri District. ...4th Respondent in
WP.No.28770/2013
6. The District Forest Officer,
Harur Forest Division,
Harur, Krishnagiri ...R3 in WP.28771/2013
7. The District Forest Officer,
Attur Forest Division,
Attur, Salem District. ...3rd Respondent in
WP No.28774/2013
8. The District Forest Officer,
Erode Forest Division,
Roja nagar, Erode District. ...3rd Respondent in
WP No.28775/2013
9. The District Forest Officer,
Dharmapuri Forest Division,
Dharmapuri. ...3rd Respondent in
WP No.28776/2013
10. The Soil conservation Officer
Mettur Soil conservation Office
(MSCS) Division
Dharmapuri-5 ...4th Respondent in
WP No.28776/2013

Prayer in WP.28769 to 28772 of 2013, 28774 & 28775 of 2013:

Writ petitions filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the 1st respondent to pass appropriate order on the disciplinary proceedings initiated against the petitioner by invocation of Rule 9(A) of the Tamil Nadu Civil (Disciplinary & Appeal) Rules on receipt of records from the 2nd and 3rd respondents within a time framed to be fixed by this Court.

WP No.28773 of 2013 & 28776 of 2013: Writ Petitions filed under 226 of the constitution of India writ of Mandamus Directing the 1st respondent to pass appropriate order on the Disciplinary Proceedings initiated against the petitioner by invocation of Rule 9(A) of the Tamilnadu Civil (Disciplinary & Appeal) Rules on receipt of records from the (i) 2nd respondent and (ii) R2 to R4 respectively within a time framed to be fixed by this Honourable Court and pass such other order.

For Petitioner : M/S.K.Gandhi Kumar(in all WPs)

For Respondents: Mr.S.K.Vijayprasanth,
(in all WPs)

COMMON ORDER

As the relief sought for in all the petitions are identical, they are disposed of by this common order.

2. The case of the petitioners is that the petitioners are involved in the Vachathi Forest raid case. Apart from this a criminal case was registered and disciplinary proceedings were initiated against the petitioners in the year 2013, however disciplinary proceedings are yet to be concluded inspite of a lapse of more than seven years. Hence the petitioner filed these writ petitions with the above said prayer.

3. Learned Counsel appearing for the petitioners submitted that though very many grounds are raised, however, it would suffice if this Court issues a direction to the respondents to conclude the disciplinary proceedings initiated u/r Rule 9-A and 17(c)(i)(1) of the Tamil Nadu Civil Services (Discipline & Appeal) Rules against the respective petitioners, within a period stipulated by this Court.

4. Learned Special Government Pleader appearing for the respondents fairly conceded that the disciplinary proceedings is yet to be concluded, however, submitted that the disciplinary proceedings will be concluded within the time frame stipulated by this Court.

5. In view of the fair stand taken by the learned Special Government Pleader, this Court, without going into the merits of the contentions, directs the respondents to complete the disciplinary proceedings against the petitioners initiated under the relevant rules, in accordance with law within, a period of six months from the date of receipt of copy of this order.

6. With the above direction, these writ petitions are disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The State of Tamilnadu,
Rep. By its Secretary of Government,
Environment and forest Department,
Secretariat, Fort. St. George,
Chennai-9.
2. The Principal Chief Conservator of Forest,
(Head of Forest Force)
Panagal Building,
Chennai -15.
3. The District Forest Officer
Tirupattur Division,
Tirupattur, Vellore District.
4. The Divisional Forest Officer,
Modern Nursery Division,
Dharmapuri District.
5. The District Forest Officer,
Hosur Forest Division,
Hosur, Krishnagiri District.
6. The District Forest Officer,
Harur Forest Division,
Harur, Krishnagiri
7. The District Forest Officer,
Attur Forest Division,
Attur, Salem District.
8. The District Forest Officer,
Erode Forest Division,
Raja nagar, Erode District.
9. The District Forest Officer,
Dharmapuri Forest Division,
Dharmapuri.
10. The Soil conservation Officer
Mettur Soil conservation Office
(MSCS) Division
Dharmapuri-5

+1cc to the Government Pleader, S.R.No.33151

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GMR (CO)
RV(19/12/2020)



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