

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 07.10.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NOs.29215 & 29216 of 2013
and
M.P.Nos.1 & 1 of 2013

K.Madaiyan .. Petitioner in WP.29215/2013

P.Rathnavel ... Petitioner in WP.29216/2013

- Vs -

- 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, Saidapet
Chennai -15.1st and 2nd Respondents in both WPs.
- 3.The District Forest Officer
Tirupathur Division, Tirupathur,
Vellore District. .. 3rd respondent in WP.No.29215/2013
- 4.The Divisional Forest Officer,
Modern Nursery Division,
Dharmapuri-5. .. 3rd respondent in WP.No.29216/2013

Prayer in WP.No.29215/2013:

Writ petition 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 orders on the Disciplinary Proceedings initiated in Memo No.6969/2011 E1 dated 14.3.2013 under Rule 17(c)(i)(1) of Tamil Nadu Civil Service (Discipline and Appeal) Rules by summoning the records from 2nd and 3rd respondents within the time frame.

Prayer in WP.No.29216/2013:

Writ petition 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 orders on the Disciplinary Proceedings initiated in Memo No.867/2011 dated 19.3.2013 under Rule 17(c)(i)(1) of Tamil Nadu Civil Service (Discipline and Appeal) Rules by summoning the records from 2nd and 3rd respondents within the time frame.

IN all WPs.

For Petitioner : M/S.M.Devaraj

For Respondents: Mr.S.K.Vijayprasanth, SGP

COMMON ORDER

As the relief sought for in both 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

jrs
To

- 1.The State of Tamilnadu,
Rep. By its Secretary of Government,
Environment and forest Department,
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 - 3.The District Forest Officer
Tirupathur Division, Tirupathur,
Vellore District.
 - 4.The Divisional Forest Officer,
Modern Nursery Division,
Dharmapuri-5.
- +1 cc to The Special Government Pleader, Sr.No. 33130 & 33131

सत्यमेव जयते

W.P. NOs.29215 & 29216 of 2013
and
M.P.Nos.1 & 1 of 2013

AJS (CO)
RMP (04/11/2020)

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