



IN THE HIGH COURT OF JUD9ICATURE AT MADRAS

DATED: 15.12.2021

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THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P. No.26668 of 2021
and WMP Nos.28109 and 28110 of 2021

P.Senthilkumar

... Petitioner

Vs

1. The State of Tamil Nadu
Rep. By its Principal Secretary to Government
Environment and forest (FR 8) Department,
Fort St. George, Chennai - 600 009.
2. The Principal Chief Conservator of Forest,
Department of Forest, Panagal Maligai,
Saidapet, Chennai - 600 015.
3. The Chairman (IFS)
Tamil Nadu Forest Plantation Corporation Ltd.,
TNGP Officer Campus, Tambaram,
Vellacheri Main road, Medavakkam,
Chennai - 600 100.
4. The Managing Director
Tamil Nadu Forest Plantation Corporation Ltd.,
Karur Road, Mallachiparam,
Kamarasampettai,
Thiruchirappalli District.
5. S. Nesamani

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus to call for the records in connection with the impugned order passed by the 1st respondent in G.O.(MS) No.156, Environment and Forests (F.R.8) Department, dated 20.12.2017, quash the same as illegal and consequently directing the respondents 1 to 4 herein to revert the 5th respondent from the promotional post of 'Regional Manager' so as to enable the petitioner to avail his promotional opportunity to the post of 'Regional Manager' in the respondent corporation.



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For Petitioner : Ms.S.Bharathy Kannan

For Respondents : Mr.Tippusultan

Government Advocate - R1 to R4

O R D E R

The present Writ Petition has been filed to quash G.O.(MS) No.156, Environment and Forests (F.R.8) Department, dated 20.12.2017 with a consequential direction to respondents 1 to 4 to revert the 5th respondent from the promotional post of Regional Manager to enable the petitioner to avail his promotional opportunity to the said post.

2. From the averments as contained in the affidavit filed in support of the Writ Petition, it appears that the petitioner, for the same cause of action, has approached this Court in W.P. (MD) No.5236 of 2018. According to the petitioner, the said Writ Petition was admitted by this Court on 13.03.2018 and the same is pending. However, at the time when he filed the Writ Petition, he was unable to obtain a copy of the Government Order, which is under challenge in the present Writ Petition and therefore the present Writ Petition has been filed for the same cause of action.

3. This Court is unable to appreciate how the Writ Petitioner can be allowed to file a second Writ Petition for the same cause of action. In case the petitioner's averment that he is unable to procure a copy of the impugned Government order is true, it is still open to the petitioner to work out his remedy in the pending Writ Petition, but is certainly not open to the petitioner to file one more Writ Petition for the same cause of action. The present Writ Petition is nothing but gross abuse of process of Court and liable to be dismissed.

4. Accordingly, the Writ Petition stands dismissed. No costs. Connected Miscellaneous Petitions are also dismissed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

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Karur Road, Mallachiparam,
Kamarasampettai,
Thiruchirappalli District.

+1cc to Ms.S.Bharathy Kannan, Advocate, S.R.No.67326

+1cc to the Special Government Pleader, S.R.No.67618

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SMS (CO)
CT/03/01/2022