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W.P. No.32305 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.32305 of 2022

S. Narayanan

... Petitioner

Vs.

1. The Principal Chief Conservator of Forest,
Panagal Building,
Saidapet,
Chennai – 15.

2. The Wildlife Warden,
Wildlife Warden Office,
Teynampet,
Chennai – 600 006.

3. The Superintendent (Forest Ranger),
Guindy National Park,
Rajbavan,
Chennai – 600 022.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pass order on the petitioners representation dated 14.3.2016 and 21.9.2021

For petitioner	: Mr.T. Dharani
For respondents	: Dr.T. Seenivasan, Special Government Pleader



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ORDER

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By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Dr.T. Seenivasan, learned Special Government Pleader accepts notice for the respondents.

3. The grievance of the petitioner is that despite having been acquitted on 24.11.2014 by the judgment of the IX Judicial Magistrate Court, Saidapet in C.C. No.7427 of 2004, he has not been reinstated into service.

4. Earlier the petitioner's service as a Mazdoor was terminated and he had challenged the said termination before this Court in W.P. No.24748 of 2004. By order dated 23.09.2008, this Court in the said writ petition after holding that the termination order is not in accordance with law quashed the same and granted liberty to the respondents to initiate appropriate disciplinary proceedings against the petitioner. According to the petitioner, till date, no disciplinary proceedings were initiated by the respondents against him. The criminal case which was earlier pending against him has also ended in acquittal on 24.11.2014. In such circumstances, he claims that he has to be reinstated into service. The



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petitioner has given representations to the respondents requesting them to reinstate him into service. Since the representations have not been considered till date, this writ petition has been filed.

5. Heard Ms.T. Dharani, learned counsel for the petitioner and Dr.T.Seenivasan, learned Special Government Pleader for the respondents.

6. At the outset, the learned Special Government Pleader appearing for the respondents would submit that the petitioner will have to give a fresh representation.

7. No prejudice would be caused to the respondents, if the petitioner is allowed to give a fresh representation seeking for reinstatement and a direction is issued to the respondents to consider the same on merits and in accordance with law, within a time frame to be fixed by this Court.

8. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the 1st respondent seeking for reinstatement into service as Mazdoor, within a period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the 1st respondent shall pass final orders on merits and in accordance with law on the petitioner's representation, within a period of



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twelve weeks thereafter.

WEB COPY 9. With the aforesaid direction, this writ petition is disposed of. No costs.

02.12.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To :

1. The Principal Chief Conservator of Forest,
Panagal Building,
Saidapet,
Chennai – 15.

2. The Wildlife Warden,
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3. The Superintendent (Forest Ranger),
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ABDUL QUDDHOSE, J.

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