



W.P.(MD)No.12647 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.12647 of 2023

and

W.M.P(MD)No.10672 of 2023

V.Kurinjivendhan

... Petitioner

Vs.

1.The Principal Chief Conservator of Forests,
Environment and Forests Department,
(Head of Department),
Panagal Maaligai, Saidapet, Chennai – 600 015.

2.The District Forest Officer, Tuticorin,
Collectorate Buildings,
Tuticorin.

3.The Inspector of Police,
Vigilance and Anti Corruption Department,
No.40, 2nd Street,
Ashar Nagar,
Gandhi Nagar Post, Tirupur – 641603.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to pass appropriate orders permitting the petitioner to retire from service on 31.05.2023 notwithstanding the pendency of the criminal case in Tirupur V& AC Crime No.5/2021/AC/TPR dated 09.07.2021 on the file of the third respondent herein.

For Petitioner : Mr.M.Ravi
For Respondents : Mr.P.T.Thiraviyam,
Government Advocate

ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to pass appropriate orders permitting the petitioner to retire from service on 31.05.2023 notwithstanding the pendency of the criminal case in Tirupur V& AC Crime No.5/2021/AC/TPR dated 09.07.2021 on the file of the third respondent herein.

2. When admittedly a criminal case in Crime No.5 of 2021 on the file of the third respondent, for the offence under Sections 13(2) r/2 r/w



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13(1)(e) of the Prevention of Corruption Act, is pending against the petitioner herein, the respondents would be at liberty to initiate departmental action against such an official. Merely because the petitioner is retiring on 31.05.2023, that will not absolve him from such departmental action and hence, he cannot seek for a peaceful retirement.

3. Hence, this writ petition stands dismissed. No Costs.
Consequently, connected miscellaneous petition is closed.

25.05.2023

pm

NCC:Yes/No

Index:Yes/No



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M.S.RAMESH,J.

pm

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