



W.P.(MD)No.12755 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.12755 of 2024
and
WMP(MD)Nos.11352 & 11353 of 2024

S.Sivagurunathan

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of Environment and Forest,
Fort St. George,
Chennai - 600 009.

2. The Principal Chief Conservator of Forests,
No.1, Genies Road,
Panagal Maligai,
Saidapet,
Chennai -600 015.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned proceedings issued by the 2nd respondent Principal Chief Conservator of Forests in Proc. No. T2/41340/99 dated 20.09.2008 and quash the same.



W.P.(MD)No.12755 of 2024

For Petitioner : Mr.S.Xavier Rajini

For Respondent : Mr.N.Ramesh Arumugam

Government Advocate

ORDER

The present writ petition has been filed seeking a Writ of Certiorari to quash the impugned proceedings issued by the 2nd respondent Principal Chief Conservator of Forests in Proc.No. T2/41340/99 dated 20.09.2008.

2. Heard Mr.S.Xavier Rajini, learned counsel for the petitioner and Mr.N.Ramesh Arumugam, learned Additional Government Pleader for the respondents.

3. The petitioner had joined as Forest Watcher in Kalakadu Mundathurai, Mundanthurai Range on 22.08.1984. He has attained the age of superannuation on 31.08.2017 when he was working as Forester in Sankarankovil Range, Pulliangudi, Tirunelveli Division. During the petitioner's service he faced the disciplinary proceedings for certain alleged lapses against him and at the conclusion of the disciplinary



W.P.(MD)No.12755 of 2024

proceedings, he was imposed with the punishment of stoppage of one increment with cumulative effect with the impact on the pension of the petitioner. The punishment order has been issued on 20.09.2008. The petitioner has filed an appeal over the said order on 01.02.2013 and so far, the same has not been disposed. In the meanwhile, the petitioner got retired.

4. However, the petitioner has claimed that the co-delinquents who have also been given with the punishment, have got ratification of the punishment. Similarly placed delinquents who had been tried along with the petitioner in the disciplinary proceedings have got a modified order of punishment pursuant to the directions of this Court issued in the order of writ petition and writ appeal, viz., W.P.No.4333 of 2007 dated 26.03.2014 and W.A.No.673 of 2024 dated 18.03.2024. Hence, the petitioner has filed this petition stating that the petitioner has also been treated on par with the above delinquents by giving the benefit of reduction of punishment.



W.P.(MD)No.12755 of 2024

WEB COPY

5. Mr.N.Ramesh Arumugam, learned Government Advocate appearing for the respondents, on instructions, submitted that the appeal filed by the petitioner challenging the order of the disciplinary authority imposing the punishment is still pending before the first respondent.

6. Since the appeal filed by the petitioner as early as in the year 2013, the same is pending with the first respondent without any disposal. Hence, the same has to be disposed as expeditiously as possible.

7. In the light of the above observations, the writ petition is **disposed of** and the first respondent is directed to dispose the appeal filed by the petitioner within a period of three weeks and pass orders by taking into consideration of the earlier judgments of this Court passed in W.P.No.4333 of 2007 dated 26.03.2014 and W.A.No.673 of 2024 dated 18.03.2024.No Costs. Consequently, connected miscellaneous petitions are closed.

14.06.2024

NCC :yes/no
Index :yes/no
PJJ



W.P.(MD)No.12755 of 2024

WEB COPY

To

1. The Principal Secretary,
State of Tamil Nadu,
Department of Environment and Forest,
Fort St. George,
Chennai - 600 009.

2. The Principal Chief Conservator of Forests,
No.1, Genies Road,
Panagal Maligai,
Saidapet,
Chennai -600 015.



WEB COPY



W.P.(MD)No.12755 of 2024

R.N.MANJULA, J.

PJL

W.P.(MD)No.12755 of 2024

14.06.2024