



W.P(MD)No.16166 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.16166 of 2021 and
WMP(MD) Nos.13032 & 13034 of 2021

Balasubramani A

... Petitioner

Vs

1.The Additional Principal Chief Conservator of Forests/
Field Director,
Kalakad Mundanthurai Tiger Reserve,
NGO A Colony,
Tirunelveli 627 007.

2.The District Forest Officer,
Dindigul Forest Division, Dindigul.

3.Tr.S.N. Tejasvi I.F.S.,
District Forest Officer - Tiruvallur
Forest Division, Tiruvallur.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records of the 3rd respondent relating to (1) The Enquiry Report dated 11.06.2021 of the third Respondent and (2) District Forest Officer, Dindigul reference No.12455/2019PA3 dated 15.06.2021



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through the Deputy Director / Wild Lift Warden, Project Tiger, Ambasamuthiram (Second show cause notice issued by the Second Respondent) to quash the same.

For Petitioner	: No appearance
For R1 & R2	: Mr.G.V.Vairam Santhosh Additional Government Pleader

ORDER

The petitioner, while he was working as a Superintendent in the Forest Department/the second respondent herein, was issued with a charge memo, not allowed to retire from service for misappropriation done by an Assistant, by name one Kumar. The said Assistant has admitted his guilt and has also committed suicide by self immolation in front of the District Forest Office, Dindigul and died on 08.07.2020. The petitioner was issued with a charge memo for the lapses that he has failed to monitor the Assistant, who has indulged in misappropriation. The charge memo dated 16.12.2019 issued by the second respondent was challenged by this petitioner in WP(MD) No.14831 of 2020 and the same was dismissed by order dated 20.12.2021. Since there was no stay in the earlier writ petition filed by this petitioner in WP(MD) No. 14831 of



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2020, the enquiry Officer proceeded with the enquiry by conducting the enquiry on 07.10.2020, 29.10.2020, 19.11.2020, 23.12.2020 and 29.01.2021 and submitted his enquiry report on 11.06.2021, which was sent to the petitioner by the second respondent in reference No. 12455/2019/E3, dated 15.06.2021. This enquiry report is challenged in this writ petition on the grounds that the enquiry was not conducted properly and it was also concluded without awaiting for the result in the writ petition filed by this petitioner in WP(MD) No. 14831 of 2020.

2. Today(03.12.2024), when this writ petition is taken up for hearing, there is no representation for the petitioner.

3. The learned Additional Government Pleader appearing for the respondents submits that based on the enquiry report, the disciplinary authority has proceeded with the disciplinary proceedings and has also imposed a punishment of cut in pension to the tune of Rs.1,000/- for a period of two years. The petitioner has



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not challenged the order of punishment. He further submits that this petitioner was allowed to retire from service, subsequent to the order of punishment and the entire eligible terminal benefits have been settled to this petitioner. The proceedings of the office of the Accountant General, Tamilnadu is also placed before this Court.

4. Recording the submissions made by the learned Additional Government Pleader, this writ petition is closed as no further order is required to be passed in this writ petition. No costs. Consequently, connected Miscellaneous Petitions are closed.

03.12.2024

NCC:Yes/No
Index:Yes
vrn



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To

WEB COPY

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WEB COPY



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B.PUGALENDHI, J.

vrn

Order made in
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