



WEB COPY



W.P.No.3964 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3964 of 2024

and

W.M.P.No.4279 of 2024

K.Sivaprakasam,
Forest Range Officer,
Working Plan Division,
Trichirapalli,
Trichirapalli District.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its.
Additional Chief Secretary to Government,
Environmental, Climate Change and Forest Department,
St.George Fort,
Secretariat,
Chennai – 600 009.
2. The Chief Principal Conservator of Forests,
Head of Forest Force,
Guindy – Velacherry Main Road,
Guindy,
Chennai – 600 032.



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3. The Conservator of Forests and Field Director,
Sathyamangalam Tiger Reserve,
Erode,
Erode District.

4. Nihar Ranjan, I.F.S.,
Chief Conservator of Forests,
Research Wing,
Kolapakkam,
Chennai – 600 127.

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of impugned charge memo dated 29.11.2023 in Ref.No.11732/2022/E2 issued by the third respondent against the petitioner, which has been served on 30.11.2023 and quash the same and consequently, direct the respondents 1 to 3 to allow the petitioner to retire from service in view of his age of superannuation dated 30.11.2023.

For Petitioner : Mr.M.R.Jothimanian

For Respondents : Mr.C.Selvaraj
Addl. Govt. Pleader for R1 to R3

ORDER

This Writ Petition has been filed challenging the impugned charge memo dated 29.11.2023 passed by the third respondent in



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Ref.No.11732/2022/E2, which was served on 30.11.2023 and for a consequential direction to the respondents 1 to 3 to allow the petitioner to retire from service on attaining the age of superannuation, i.e., on 30.11.2023.

2. The petitioner was appointed as Forest Guard on 14.11.1984 by the second respondent through direct recruitment and was promoted as Forester in the year 1998 and was further promoted as Forest Range Officer during December, 2010 and worked at various ranges in the Forest Department. He was retired from service on 30.11.2023 on attaining the age of superannuation. Further, he was a President of Tamil Nadu Forest Staff Association from 2020 to 2023. The Tamil Nadu Forest Staff Association was recognized by the Government as well as the respondents vide G.O.(Ms)No.1261, Public Services (A) Department, dated 07.08.1963.

3. The focus of the Association is to protect the rights of the staffs in the Forest Department from the category of Plot Watchers to Forest Range Officers. While so, on 26.02.2021, the Forest Range Officers, namely,



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Muthu and Venkatachalam and office bearers of the said Association were transferred by the fourth respondent, namely, Chief Conservator of Forests, Research Wing, Kolapakkam, Chennai, due to refuse to pay the commission for the contract works and therefore, they were transferred and kept them under waiting list and the salary has not been paid to them. The said Foresters made a complaint against the fourth respondent on 01.03.2021 and also they submitted a detailed representation to the second respondent on 24.03.2021 to take action against the fourth respondent. But the said complaint is still pending and no action was taken by the second respondent. On 30.03.2021, when the media persons posed the question with regard to their grievances, the petitioner stated that the fourth respondent has deprived the rights of the said Range Officers and requested the respondents 1 & 2 to take appropriate action against the fourth respondent. While so, the third respondent issued charge memo dated 29.11.2023 under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules for the allegations that the petitioner made a statement before the media on 30.03.2021 and that the said charge memo is totally illegal and without jurisdiction. Challenging the said charge memo dated 29.11.2023, the petitioner is before this Court.



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4. The learned Additional Government Pleader appearing for the respondents 1 to 3 has filed a detailed counter affidavit stating that the two Range Officers were transferred based on frequent allegations as well as confidential reports received, lapses found in their work during field inspections conducted by the fourth respondent. The petitioner who holds the position of State President of the Association intervened in routine administration with malicious intent. In any view, the learned Additional Government Pleader submits that the representation of the Tamil Nadu Forest Staff Association dated 24.03.2021 and charge memo dated 29.11.2023 will be enquired by the second respondent in accordance with law, after affording an opportunity of hearing to the petitioner and interested parties, if any.

5. Recording the said submission made by the learned Additional Government Pleader appearing for the respondents 1 to 3, this Writ Petition



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is disposed of with a direction to the second respondent, namely, the Chief

Principal Conservator of Forests, Head of Forest Force, Guindy, Chennai, to enquire into the representation of the Tamil Nadu Forest Staff Association dated 24.03.2021 and charge memo dated 29.11.2023 issued by the third respondent and pass appropriate orders within a period of 8 weeks from the date of receipt of a copy of this order, after providing opportunity to the petitioner and the fourth respondent. There shall be no order as to costs.

Connected miscellaneous petition is closed.

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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



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To

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M.DHANDAPANI, J.

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