



WEB COPY



WP.No.16527 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

WP.No.16527 of 2025

S.Rajaram

... Petitioner

Vs.

1. The Principal Chief Conservator of Forest,
Head of Forest Force,
Guindy-Vellacherry Road,
Guindy, Chennai-600 032.
2. The District Forest Officer,
Thiruvannamalai Forest Division,
Thiruvannamalai.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Mandamus, directing the respondents to revoke the suspension of the petitioner dated 14.01.2023 based on his application dated 18.01.2024 and 02.07.2024 respectively as per the direction issued by the Government of Tamil Nadu in G.O.Ms.No.81, Human Resources Management (N) Department dated 04.08.2022 and consequently, direct the 2nd respondent to pay the subsistence allowance @ 75% to him from 15.07.2023 along with arrears.

For Petitioner : Mr.M.R.Elavarasan

For Respondents : Mr.C.Selvaraj
Additional Government Pleader



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ORDER

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The instant writ petition has been filed seeking the relief of writ of Mandamus, directing the respondents to revoke the suspension of the petitioner dated 14.01.2023 based on his application dated 18.01.2024 and 02.07.2024 respectively as per the direction issued by the Government of Tamil Nadu in G.O.Ms.No.81, Human Resources Management (N) Department dated 04.08.2022 and consequently, direct the 2nd respondent to pay the subsistence allowance @ 75% to him from 15.07.2023 along with arrears.

2. Heard Mr.M.R.Elavarasan, learned counsel for the petitioner and Mr.C.Selvaraj, learned Additional Government Pleader appearing for the respondents.

3. It is the submission of the learned learned counsel for the petitioner that the suspension order against the petitioner is on account of the registration of FIR in Crime No.6 of 2023 under Section 174 Cr.P.C @ to Sections 302, 201 & 120B IPC. Apart from seeking the prayer to revoke the suspension order, he also sought for a Mandamus directing the respondents to enhance the subsistence allowance to 75% of his last drawn salary.



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4. Per contra, the learned Additional Government Pleader would strongly object the contention of the petitioner on the ground that the petitioner has been charged for the grave offence under Section 302 IPC.

5. The submission of the learned Additional Government Pleader is well merited and it would not be proper to permit the murder accused to perform his duty as a Forest Guard. Therefore, this Court does not find any grounds to direct the respondents to revoke the suspension order. At the same time, the grievance of the petitioner in respect of enhancement of subsistence allowance has to be addressed. According to the petitioner, they have sent the representation on 02.07.2024 seeking for enhancement. However, the said representation admittedly was not disposed of till date.

6. In view of the above discussion, this Court deems it appropriate to consider the petitioner's representation dated 02.07.2024 for the enhancement of subsistence allowance, according to its own merits and in accordance with law.

7. With the above direction, this writ petition is disposed of. There shall be no order as to costs.

03.06.2025

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C.KUMARAPPAN, J.

kmi

To

1. The Principal Chief Conservator of Forest,
Head of Forest Force,
Guindy-Vellacherry Road,
Guindy, Chennai-600 032.
2. The District Forest Officer,
Thiruvannamalai Forest Division,
Thiruvannamalai.

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