



W.A.(MD)No.412 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.02.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

**W.A.(MD)No.412 of 2022
and
C.M.P.(MD)No.4153 of 2022
and
C.M.P.(MD)No.112 of 2023**

R.Ramadas

... Appellant

Vs.

1.The Principal Chief Conservator of Forests
& Head of Department,
Office of the Principal Chief Conservator of Forests,
No.1, Jenny's Road, Panagal Buildings,
Saidapet, Chennai - 600 015.

2.The Conservator of Forests,
Office of the Conservator of Forests,
Thanjavur Circle, Thanjavur.

3.The District Forest Officer,
Office of the District Forest Office,
Thanjavur Division, Thanjavur.

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD).No.12991 of 2021 dated 23.03.2022 on the file of this Court.



W.A.(MD)No.412 of 2022

For Appellant : Mr.G.Thalaimutharasu

For Respondents : Mr.S.S.Madhavan,
Addl. Government Pleader.

JUDGMENT
(By G.R.SWAMINATHAN, J.)

The unsuccessful writ petitioner is the appellant before us. The appellant was working as Forester. He challenged the impugned charge memos issued by the District Forest Officer, Thanjavur Division. The writ petition was dismissed vide order dated 23.03.2022. Questioning the same, this writ appeal has been filed.

2.The learned counsel for the appellant submitted that the very issuance of charge memo was without jurisdiction. He relied on Rule 9A of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. He submitted that along with the writ petitioner, few other officials including the jurisdictional Ranger were allegedly involved. He pointed out that for a Ranger, it is the Principal Chief Conservator of Forest who is the appointing authority and therefore, the District Forest Officer could not have issued the impugned charge memo. We are unable to agree with



W.A.(MD)No.412 of 2022

this submission. Rule 9A of the Tamil Nadu Civil Services (Discipline and Appeal) Rules reads as follows:-

“9A. In any case where more than one Government servant of the same Department are jointly involved or whose cases are interconnected, the authority competent to institute disciplinary proceedings shall be the immediate higher authority in that Department in respect of the Government servant who holds the highest post among such Government servants and the disciplinary proceedings against all of them shall be taken together. Where inquiry is to be conducted in terms of rule 17(b), the said authority may either himself conduct the inquiry or get the inquiry conducted by an Inquiring Officer appointed by the authority competent to impose major penalty in respect of the Government servant who holds the highest post among such Government servants. The said authority shall remit the case, at the appropriate stage, to the authority competent to impose any of the penalties specified in rule 8 in respect of the Government servant who holds the highest post among such Government servants in that Department for passing final orders.”

3.The above rule states that where there are more delinquents than one, the immediate higher authority in respect of the government servant who holds the highest post among such delinquents is competent to issue the charge memo. Admittedly, the District Forest Officer is the



W.A.(MD)No.412 of 2022

immediate higher authority as far as the Ranger is concerned. In this view of the matter, we do not find any infraction of the procedure set out in Rule 9A.

4.We make it clear that we have only held that the District Forest Officer was competent to issue the charge memo. We have not gone into any other aspect. All the defences of the appellant are left open. The appellant's right to a fair enquiry will have to be necessarily respected. In other words, the authority has to furnish all the relied upon documents to the appellant. The disciplinary proceedings shall be concluded within a period of the six months from the date of receipt of a copy of this order.

5.The writ appeal is dismissed and the order of the learned Single Judge is sustained. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S. J.) & (R.K.M. J.)
03.02.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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