

Madras High Court

T.Amsaveni vs 2 Forest Ranger on 4 February, 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 4.2.2010

CORAM

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

Writ Petition No.37415 of 2006

T.AMSAVENI

.. PETITIONER

Vs

1 DISTRICT FOREST OFFICER,  
INTERFACE FOREST DIVISION,  
DHARMAPURI DISTRICT.

2 FOREST RANGER,  
INTERFACE FOREST RANGE,  
KRISHNAGIRI,  
DHARMAPURI DISTRICT.

.. RESPONDENTS

Prayer: Original Application No.9476 of 1998 was filed before the Tamil Nadu Administrative Tribunal

For petitioner : Mr. S. Ravi

For respondents : Mr. B. Vijay  
Government Advocate

-----

O R D E R

Original Application No.9476 of 1998 was filed before the Tamil Nadu Administrative Tribunal praying to quash the order of the termination passed by the first respondent in his Na.Ka.No.4844/98P dated 28/7/98 and the consequential order of the second respondent in his Na.Ka.No.59/98 dated 8/8/98 and direct the respondents to reinstate her in service with all consequential monetary and service benefits. Since the Tamil Nadu Administrative Tribunal was abolished, the O.A. was received by transfer and numbered as Writ Petition.

2. 35 years old social worker in the Interface Forest Division, Krishnagiri, was arrested for the offence committed under Section 366A I.P.C. Consequently, the petitioner/applicant was dismissed from service. The plea of the petitioner is that rules and procedures were not followed and there is a violation of principles of natural justice. Interim stay was granted until further orders by the Tribunal and the petitioner continues in service.

3. Learned counsel for the petitioner states that the criminal case has been dropped. Therefore, the dismissal order, which was passed based on the criminal proceedings, does not survive. The order of dismissal should be set aside and the petitioner should be allowed to continue in service on regular basis.

4. The learned Government Pleader (Forests) states that there is no instruction in respect of dropping of the criminal proceedings. He, however, states that the petitioner can make a representation to the competent authority to consider her plea for withdrawing the order of dismissal on merits, if the criminal proceedings have been dropped.

5. In view of the above position, the petitioner is permitted to make a representation showing the proof of dropping of criminal proceedings so as to enabling the authorities to take final decision in the matter with regard to order terminating her from service. Such representation shall be given on or before 12.3.2010 to the competent authority who shall consider and dispose off the same on merits within two months from the date of such representation. Till the issue is disposed off by the competent authority on merits, the petitioner can continue in service as per the interim order. The Writ Petition is disposed off accordingly. No costs.

4.2.2010

Index: No.

Internet:Yes

Office to note:-

"Issue copy on 15.2.2010"

ts

To

1 DISTRICT FOREST OFFICER,  
INTERFACE FOREST DIVISION,  
DHARMAPURI DISTRICT.

2 FOREST RANGER,  
INTERFACE FOREST RANGE,  
KRISHNAGIRI,  
DHARMAPURI DISTRICT

R. SUDHAKAR, J.

W.P.No.37415 of 2006

Order i

4.2.2010