
(2013) 08 MAD CK 0014
In the Madras High Court
Case No : Writ Petition No. 22776 of 2013

M. Rajendran

APPELLANT

Vs

The State of Tamil Nadu

RESPONDENT

Date of Decision : 20-08-2013

Acts Referred:

Citation : (2013) 08 MAD CK 0014

Hon'ble Judges : D. Hariparanthaman, J

Bench : Single Bench

Advocate : G. Elanchezhiyan, for the Appellant;

Final Decision : Dismissed

Judgement

D. Hariparanthaman, J.—The petitioner was appointed as Flockman on 19.4.1985 at Veterinary Dispensary, Maduranthagam. He was

promoted as Live Stock Inspector Grade II on 4.4.2001. The promotion was based on his SSLC qualification. While so, disciplinary proceedings

were initiated by issuing the charge sheet dated 15.3.2002 alleging that the petitioner produced bogus certificate so as to get promotion to the post

of Live Stock Inspector Grade II and thereby cheated the Government. Based on the same, after the enquiry, the petitioner was dismissed from

service by an order dated 18.4.2003.

2. The petitioner preferred an appeal before the second respondent against the dismissal order. The second respondent rejected the appeal on

27.10.2003.

3. The petitioner made representations on 4.10.2012 and 21.1.2013 to the second respondent that in the case of similarly situated persons, who

were also dismissed on the ground that they gave false Certificates, were

reinstated in service as Flockmen, pursuant to the order of this Court.

Hence, he should also be reinstated as Flockman. Thereafter, he has filed this Writ Petition seeking for a direction to the first respondent to

consider his claims and pass orders on his representations dated 3.10.2012 and 21.1.2013 with regard to reinstatement in the Lower post of

Flockman as given to M/s. P. Sekar, P. Palanivelu V.G. Sekar and V. Manikkam in pursuant to the order of this High Court in W.P. No. 19063

of 2004 dated 16.02.2008 W.P. No. 18294 of 2009 dated 19.04.2010 W.P. No. 14579 of 2005 dated 29.02.2012 and W.P. No. 31318 of

2005 dated 29.2.2012.

4. Heard the learned counsel for the petitioner.

5. Admittedly, the petitioner was dismissed from service by an order dated 18.4.2003. He filed an appeal against the order of dismissal and the

appeal was rejected by an order dated 27.10.2003. Thereafter, the petitioner did not choose to challenge the order of punishment as well as the

appellate order, confirming the punishment. On the other hand, as some of the employees who were dismissed from service got an order of

reinstatement to the post of Flockman, the petitioner relying upon those orders has sought for reinstatement as Flockman based on those orders.

6. The petitioner has slept over for more than 10 years. The order of dismissal attained finality. The petitioner did not choose to question the

dismissal order in the manner known to law. He cannot seek the benefit of the order that was passed in favour of some other employees, who

questioned the dismissal before this Court and were successful. Hence, I do not find any merit in the Writ Petition. The Writ Petition fails and the

same is dismissed. No costs.