

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27273 of 2015

I.Khader Basha

...Petitioner

Vs

1. The State of Tamil Nadu, rep.by
its Principal Secretary to Government,
Environment and Forests Department,
Secretariat, Chennai-600 009.

2. The Principal Chief Conservator of
Forests and Head of Forests Force,
Chennai-600 015.

3. The Conservator of Forests,
Villupuram Circle,
Villupuram.

...Respondents

Petition filed under Article 226 of The Constitution of India,
praying for the issuance of a Writ of mandamus directing the
respondents herein to consider the petitioner's representation dated
26.02.2015 to include petitioner's name in the promotion panel for
the post of Forest Ranger for the year 2010-2011 in deference to the
orders of this Court dated 02.02.2011 in W.P.No.29940 of 2010 as
confirmed by the Hon'ble Court dated 23.11.2011 in W.A.No.2145 of
2011.

For Petitioner : Mr.A.Ganesan

For Respondents : Mr.N.Inbanathan,
Govt. Advocate (Forest)

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner, while working as a Forester, was visited with a disciplinary proceedings, which culminated in the order of punishment of stoppage of increment without cumulative effect vide order dated 30.06.2009 and it was put to challenge by filing W.P.No.29940 of 2010. This Court, vide order dated 02.02.2011, has observed that the petitioner has already completed the currency of minor punishment of stoppage of increment for six months without cumulative effect and on account of the fact that there is no disciplinary proceedings or charge memo pending against him, the name of the petitioner should be included in the promotion panel for the year 2010-2011. The official respondents, aggrieved by the said order, filed W.A.No.2145 of 2011 and it was also dismissed vide judgment dated 23.11.2011. Thereafter, the petitioner submitted a representation dated 26.02.2015 praying for inclusion of his name in the panel for promotion for the year 2010-2011 for Forest Ranger and since no orders have been passed, came forward to file this writ petition.

3.Heard the submissions of Mr.N.Inbanathan, learned Government Advocate, who accepts notice on behalf of the respondents.

4.This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the same, directs the second respondent to consider and dispose of the petitioner's representation dated 26.02.2015 on merits and in accordance with law, after taking note of the above cited orders passed by this Court and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

mmi

To

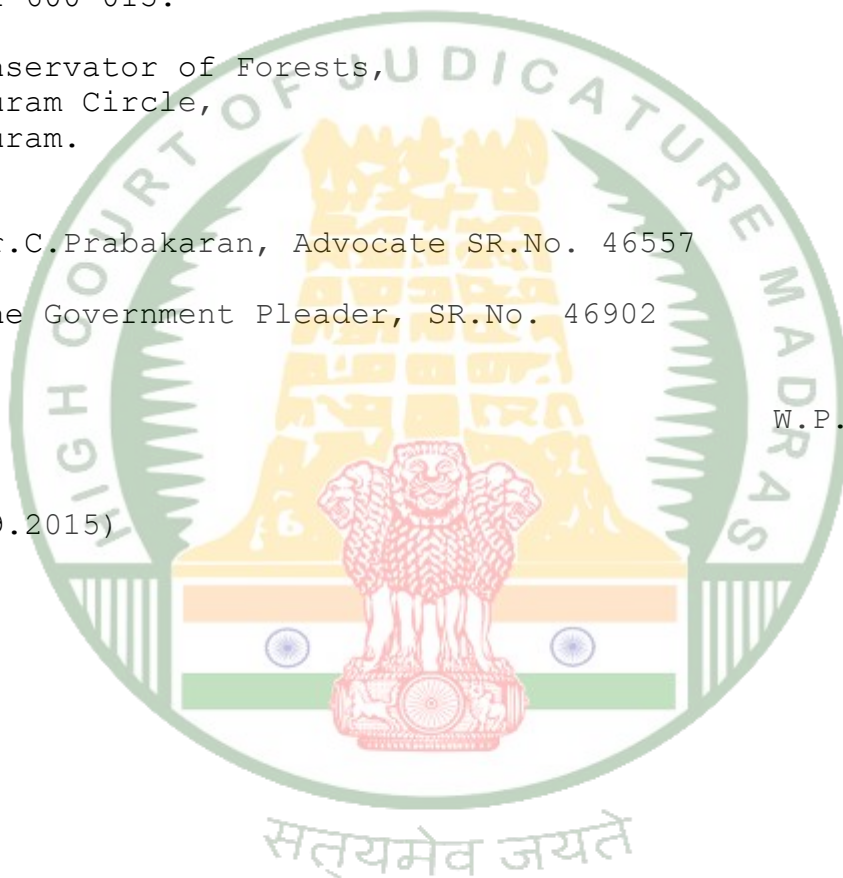
1. The Principal Secretary to Government,
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Secretariat, Chennai-600 009.
2. The Principal Chief Conservator of
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Chennai-600 015.
3. The Conservator of Forests,
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Villupuram.

1 CC to Mr.C.Prabakaran, Advocate SR.No. 46557

1 CC to the Government Pleader, SR.No. 46902

W.P.No.27273 of 2015

NM (CO)
PSI (21.09.2015)



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