

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 07.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28099/2015

R.Neethirajan

... Petitioner

Versus

1. The Secretary to Government
Government of Tamil Nadu
Environment & Forest Department
Secretariat, Chennai 600 009.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 1st respondent to consider the claim of the petitioner regarding advancement of the panel year 2008-09 to 2007-08 for the post of Assistant Conservator of Forests, in the light of the petitioner's representation dated 18.06.2015.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.N.Inbanathan,
Government Advocate [Forests]

O R D E R

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

2.The petitioner would state that he was promoted as Assistant Conservator of Forest based on the directions of this Court in WP.No.23603/2010 dated 25.07.2011 by including his name in the panel for the year 2008-09 and he was given retrospective promotion with effect from 30.09.2009.

3.The petitioner would further state that the Government in G.O.Ms.No.7, Environment and Forests Department, dated 04.02.2008, has upgraded 26 posts of Forest Rangers as Assistant Conservator of Forests, for being appointed as Forest Extension Officers of various Forest Extension Centres. It is also stated by the petitioner that due to upgradation, Forest Rangers like the petitioner, who have completed more than 20 years of service in the same post, were granted promotion and the Rangers who had completed 20 to 25 years of service have reached the scale of pay of Assistant Conservator of Forests in the Ordinary grade by virtue of attaining Special Grade in the Forest Ranger.

4.The grievance expressed by the petitioner is that those posts were sanctioned by the Government Order dated 05.02.2008, based on the proposals of the 2nd respondent dated 22.03.2007, 10.05.2007 and 23.08.2007. But, the availability of the said posts have not been taken into consideration while preparing the panel for the year 2007-08, which according to the petitioner, resulted in the postponement of one year of his seniority, thereby affecting his further promotional opportunities. The petitioner, in this regard, has submitted a representation dated 18.06.2015 to the respondents and though it was received and acknowledged, no orders have been passed and hence, the petitioner came forward to file this writ petition.

5.Heard the submissions of the learned counsel for the petitioner and Mr.N.Inbanathan, learned Government Advocate [Forests] who accepts notice on behalf of the respondents.

6.Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances, without going into the merits of the representation, directs the first respondent to consider and dispose of the petitioner's representation dated 18.06.2015 in accordance with law 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.

7.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

AP

To

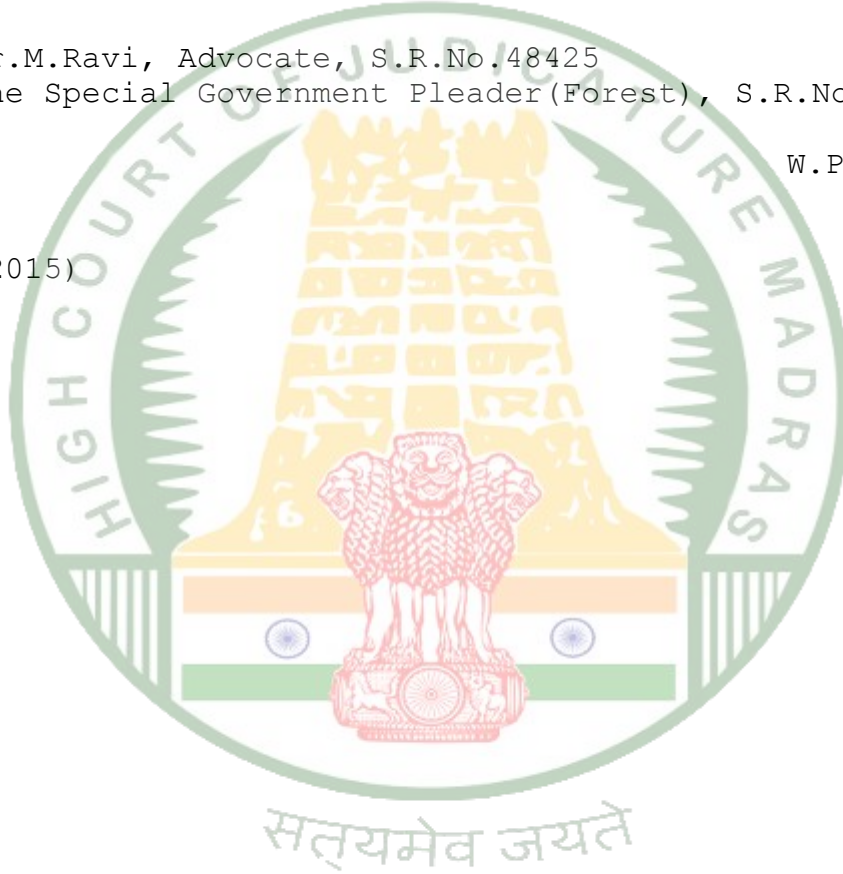
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+1cc to Mr.M.Ravi, Advocate, S.R.No.48425

+1cc to the Special Government Pleader(Forest), S.R.No.48523

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PUR(CO)
CA(11/09/2015)



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