

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29166 of 2015

P.Manivannan

... Petitioner

Vs.

1 The Conservator of Forest
Vellore - 9 Vellore District.

2 The District Forest Officer
Tiruvannamalai South Forest Division
Tiruvannamalai District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to relieve the petitioner from the post of Assistant so as to enable him to join the promoted post of Superintendent as per the panel drawn for the year 2014-2015 on 14.11.2014 and by considering his representation dated 11.09.2015.

For Petitioner : Mr.S.Mani

For Respondents : Mr.N.Inbanathan

Government Advocate (Forests)

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सत्यमेव जयते

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

2.The petitioner at present is working as an Assistant and on 14.11.2014, a panel was drawn for promotion to the post of Superintendent by taking into consideration the crucial date as 15.03.2014 and in the said panel, the name of the petitioner finds place in serial no.35. The petitioner would state that he came to know that he was promoted to the post of Superintendent and posted in the office of the Principal Chief Conservator of Forest, Saidapet, Chennai on 31.07.2015 and vide order dated 09.09.2015, it was cancelled and modified and the petitioner was allotted to join Chennai region. The grievance expressed by the petitioner is that though departmental proceedings are pending under Rule 17 (a) of the Tamil Nadu civil Services (Disciplinary and Appeal) Rules, it cannot

be a bar for inclusion of his name in the panel and promotion to the post of Superintendent and in this regard, submitted a representation dated 11.09.2015 through proper channel to the second respondent and since no orders have been passed, came forward to file this writ petition.

3.Heard the submissions of Mr.S.Mani, learned counsel appearing for the petitioner and Mr.N.Inbanathan, learned Government Advocate (Forests) who accepts notice on behalf of the respondents.

4.Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the same, directs the first respondent to consider and dispose of the petitioner's representation dated 11.09.2015 on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

- 1 The Conservator of Forest
Vellore - 9 Vellore District.
- 2 The District Forest Officer
Tiruvannamalai South Forest Division
Tiruvannamalai District.

+1 cc to M/s.S.Mani, Advocate, sr.50596
+1 cc to The Special Government, sr.50591

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