

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 21.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29637 of 2015

R.Manoharan

... Petitioner

Versus

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

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

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the first 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 his representation dated 26.06.2015.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.N.Inbanathan,
Government Advocate (Forests)

सत्यमेव जयते
O R D E R

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

2.The petitioner would state that he was directly recruited as Forest Ranger in the year 1984 through the Tamil Nadu Public Service Commission and after undergoing the prescribed training, he was posted as Forest Ranger in Arasu Rubber Corporation, Nagercoil on 23.08.1985 and served as Forest Ranger at various Forest Ranges in the State and rendered dedicated and meritorious service without any stigma. The petitioner would further state that he has become fully qualified and eligible for promotion as Assistant Conservator of Forests. The Government also issued approval panel of Forest

Rangers fit for promotion as Assistant Conservator of Forests for the year 2008-09 in G.O.Ms.No.131, Environment and Forests Department dated 30.09.2009. The petitioner also got his promotion to the said post on the said date.

3.It is further stated by the petitioner that the Government also issued orders in G.O.Ms.No.7 Environment and Forests Department dated 04.02.2008 for the upgradation of 26 posts of Forest Rangers to that of Assistant Conservator of Forests for being appointed as Forest Extension Officers of various Forest Extension Centres. The grievance expressed by the petitioner is that the Rangers who have completed more than 20 years of service in the same post like that of petitioner, may get the next promotion during their service and further the senior most Rangers who have completed 20-25 years of service had already reached the scale of pay of Assistant Conservator of Forest by virtue of having obtained Special Grade. The said Government order was issued on 05.02.2008, based on proposals of the second respondent dated 22.03.2007, 10.05.2007 and 23.08.2007 but, those posts were not taken into account for consideration of the panel year 2007-08, which according to the petitioner, will affect his seniority being postponed by one year and thereby affecting his further promotion. In this regard, the petitioner submitted a representation dated 26.06.2015 to the first respondent and since, no order has been passed on the same, the petitioner came forward with this writ petition.

4.The learned counsel for the petitioner would submit that in similar facts and circumstances, this Court vide order dated 07.09.2015 in W.P.No.28099 of 2015 has directed the concerned official respondent to consider the representation of the petitioner therein and pass orders in accordance with law within the stipulated time and hence, the learned counsel prays for similar relief.

5.I have heard the learned counsel for the petitioner and Mr.N.Inbanathan, learned Government Advocate (Forests) who accepts notice for the respondents.

6.Though, the petitioner has sought for a larger relief, this Court, without going into the merits of the case as projected by the petitioner, directs the first respondent to consider the representation of the petitioner dated 26.06.2015, on merits and in accordance with law and pass orders as expeditiously as possible and not later than 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(CO)

//True Copy//

Sub Assistant Registrar

jbm

To

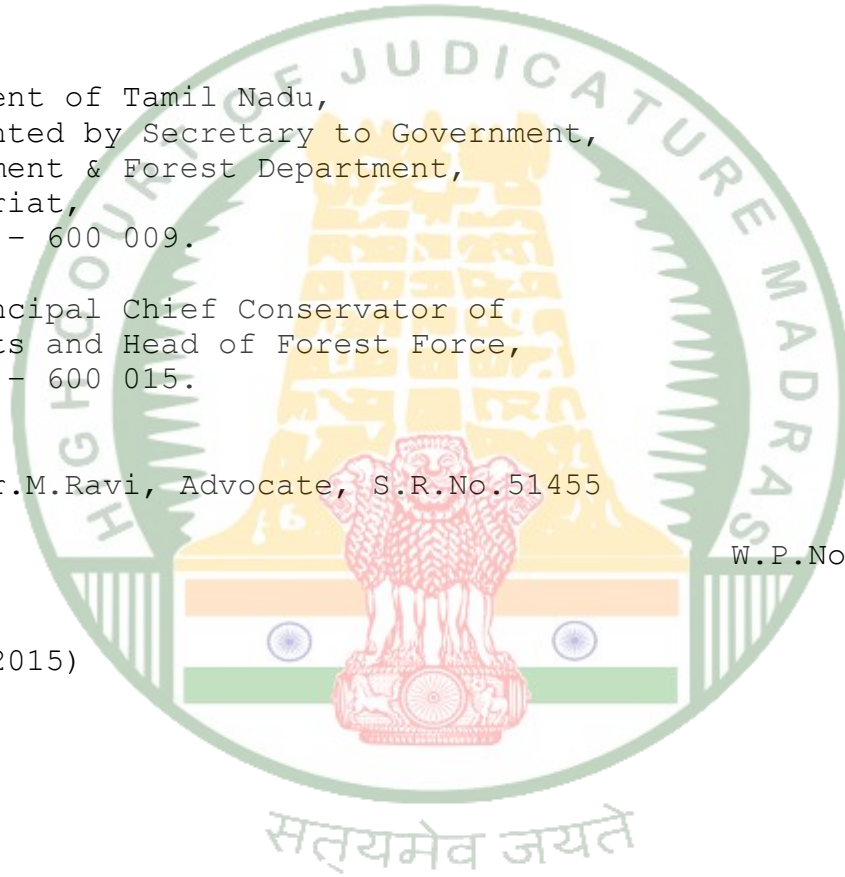
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+1cc to Mr.M.Ravi, Advocate, S.R.No.51455

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CTK(CO)
CA(05/10/2015)



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