

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:- 28.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.No.15726 of 2016

- 1 A.Perumal
 - 2 P.Thankarasu
 - 3 M.Jayaraman
 - 4 L.Narayanan
 - 5 B.Nagarajan
 - 6 T.Boominathan
 - 7 M.Natarajan
 - 8 A.Palanivel
 - 9 S.Mathivanan
 - 10 K.Kuppusamy
 - 11 S.Govindaraj
 - 12 N.Ganesan
 - 13 K.Selvaraju
- ...Petitioners

Vs

- 1 The Government of Tamil Nadu
Rep. by its Secretary Environment and
Forest Department,
Fort St. George, Chennai- 9.
- 2 The Principal Chief Conservator of Forests,
Panagal Building,

Saidapet, Chennai-15.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to confer notional promotion to the petitioners as Forest Guard on par with their juniors by including their name in the panel drawn for the year 2003-2004 with effect from 31.05.2004 as per the order dated 25.04.2012, 10.07.2012 and 15.03.2013 passed in WP.No. 11871, 17610 and 20957 of 2012 filed by the petitioners and in the light of the proceedings of the second respondent dated 10.10.2014 by considering the representation dated 10.08.2015 of the petitioners within a time limit to be stipulated by this Court.

For Petitioners : Mr.S.Mani
For Respondents : Mr.N.Inbanathan
Government Advocate (Forests)

O R D E R

The petitioners have filed this writ petition for issuance of a writ of mandamus to direct the respondents to confer notional promotion to the petitioners as Forest Guard on par with their juniors by including their names in the panel drawn for the year 2003-2004 with effect from 31.05.2004 as per the order dated 25.04.2012, 10.07.2012 and 15.03.2013 passed in WP.Nos. 11871, 17610 and 20957 of 2012 filed by the petitioners and in the light of the proceedings of the second respondent dated 10.10.2014 by considering the representation dated 10.08.2015 of the petitioners within a time limit to be stipulated by this Court.

2.The petitioners have already come to this court by filing writ petitions seeking directions to the respondents to appoint them as regular time scale Forest Watchers taking into account of their seniority and qualification on par with their juniors in the light of the orders passed in W.P.No.15561 of 2006 dated 10.03.2008, W.A.No.690 of 2008 dated 13.10.2009, W.P.No.23374 of 2008 dated 30.10.2009, W.A.No.607 of 2010 dated 20.03.2010 and proceedings of the second respondent dated 07.01.2011 and confer all consequential benefits. This Court allowed the same prayer stating that the issue was already covered and confirmed by the division bench and accordingly directed the respondents to pass orders appointing the petitioners as regular time scale Forest Watchers taking into account of their seniority and qualification on par with their juniors and grant consequential benefits to them. Now, the petitioners have come with the second writ petitions seeking for notional promotion to the post of Forest Guard on par with their juniors.

3.Learned counsel for the petitioners submits that since the petitioner's juniors were given promotion to the post of Forest Guard,

they made a representation dated 10.08.2015 to the respondent, which is kept pending. He has also brought to the notice of this court the proceedings of the second respondent dated 10.10.2014 giving benefit of notional promotion to the post of Forest Guard to the similarly placed persons. Therefore, there cannot be any impediment for the respondents to consider the case of the petitioners.

4.Mr.N.Inbanathan, learned Government Advocate who takes notice for the respondents sought for 12 weeks time to consider the representation of the petitioners.

5.Since the order dated 10.10.2014 has already been passed by the second respondent, the representation of the petitioners could be considered. Accordingly, the second respondent is directed to consider the representation of the petitioners and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

27.04.2016

vri

To

- 1 The Government of Tamil Nadu
Rep. by its Secretary Environment and
Forest Department,
Fort St. George, Chennai- 9.
- 2 The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai-15.

T.RAJA,J.

Vri

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