

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 01.07.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.22710 of 2016

R.Mathiselvam

.. Petitioner

Vs.

1.Government of Tamil Nadu,
Rep. by the Secretary to Government,
Environment and Forest Department,
Fort St. George, Chennai - 600 009.

2.The Principal Chief Conservator and
Head of Forest Force,
Panagal Building, Jones Road,
Saidpet, Chennai - 600 015.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of Mandamus, directing the respondents 1 and 2 herein to consider the petitioner for promotion to the post of Assistant Conservator of Forests with effect from 2014-15 and grant all consequential monetary benefits with retrospective effect from the said date of promotion.

For Petitioner : M/s.Swarnam J.Rajagopalan

For Respondents: Mr.M.Inbanathan

Government Advocate (Forest)

O R D E R

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

2.This writ petition has been filed by the petitioner seeking a direction to the respondents 1 and 2 herein to consider him for promotion to the post of Assistant Conservator of Forests with effect from 2014-15 and grant all consequential monetary benefits with retrospective effect from the said date of promotion.

3.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing on behalf of the respondents.

4.The petitioner made a representation on 19.11.2014 to the respondents. Since the same was not considered, he has earlier approached this Court in W.P.No.30657 of 2014. By

order dated 24.11.2014 in W.P.No.30657 of 2014, this Court directed the respondents to consider and pass appropriate orders on the petitioner's representation within a period of 12 weeks from the date of copy of the order. Unfortunately, till date no order has been passed. The petitioner ought to have filed Contempt Petition. Since it was belated, he approached this Court by way filing the present petition. According to the petitioner he retired on 30.06.2016. Therefore, he was left with no other option but to acquire the benefits after retirement, at the earliest point of time.

5.The learned counsel for the petitioner submitted that since the earlier order of this Court dated 24.11.2014 has not been complied with by the respondents, there may be a direction to the respondents to consider and dispose of his representation immediately.

6.In view of the same, since the earlier order of this Court has not been complied with, there shall be a specific direction to the respondents to consider and dispose of the petitioner's representation dated 19.11.2014, within a period of four weeks from the date of receipt of a copy of the order and comply with the requirements. It is also made clear that if the petitioner wants to add something more, he can make a representation along with the copy of this order, within a period of one week. There is also a direction to the respondents that there should not be any more delay in compliance of the order of this Court.

7.With the above directions, this Writ Petition is disposed of. No costs.

Assistant Registrar,

//True Copy//

Sub Assistant Registrar

DP
To

1. The Secretary to Government,
Government of Tamil Nadu,
Environment and Forest Department,
Fort St. George, Chennai - 600 009.

2. The Principal Chief Conservator and
Head of Forest Force,
Panagal Building, Jones Road,
Saidpet, Chennai - 600 015.

+1 C.C. to Mr.Swarnam J.Rajagopalan,Advocate SR.No.37640

+1 C.C. to Special Government Pleader (Forest)

SR.No.37487.

WP No.22710 of 2016

KGK