

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.12.2016

Coram

The Honourable Mr. JUSTICE M.SATHYANARAYANAN

Writ Petition No.37777 of 2016

and

W.M.P.No.32376 of 2016

Vijay ... Petitioner

-Vs-

The Principal Chief Conservator of Forest
and Head of Forest Force,
Panagal Malagai,
Saidapet, Chennai - 15. ... Respondent

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondent to revise the seniority list of Forest Rangers fit for promotion to the post of Assistant Conservator of Forests before they draw the panel of Forest Ranger fit for promotion to the post of Assistant Conservator of Forest and direct the respondent to include the petitioner name in the seniority list between S.No.60 and 61 (i.e. Below Mr.R.Rajkumar and above Mr.C.Kannan).

For Petitioner : Mrs.Selvi George

For Respondent : Mr.N.Inbanathan, Govt.Advocate (Forest)

O R D E R

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

2.The petitioner would state that he is a graduate in B.A.D.C.A and was appointed as Forester on 02.02.1998 through direct recruitment in the Tamil Nadu Forest Service and that he is serving with utmost sincerity and without any blemish. It is also the claim of the petitioner that on account of his unblemished and sincere service, he is fully qualified and was promoted as Forest Range Officer on 01.06.2011.

3. It is stated by the petitioner that while serving as

Forester, he was issued with a charge memo by the District Forest officer, Crash Plantation, Vellore, and was imposed with a punishment of stoppage of increment for a period of one year without cumulative effect and as such, he was not given promotion for the post of Ranger for the year 2010-2011 on account of the pendency of the said punishment. The petitioner, challenging the punishment, filed a revision before the respondent and it was allowed and the order of punishment dated 31.10.2009 was set aside and the Conservator was granted liberty to take fresh action, if necessary. The petitioner, thereafter, submitted a representation to the Principal Chief Conservator of Forest, praying for inclusion of his name in the selection list dated 10.12.2010 and his representation was considered and an order was passed on 25.05.2011 and the petitioner was declared as selected in the list of Forester fit for promotion to the post of Forest Ranger and he got promoted as Forest range Officer.

4. The grievance expressed by the petitioner is that though the punishment imposed on him was set aside and was granted promotion as Forest Range Officer, he was given the consequential orders of retrospective promotion and financial benefits. In this regard, the petitioner has submitted a representation dated 01.07.2016 to the respondent. Since it has not been considered and given disposal, he came forward to file this writ petition.

5. Heard the submission of Ms.Selvi George, learned counsel appearing for the petitioner and Mr.N.Inbanathan, learned Government Advocate (Forest) who accepts notice on behalf of the respondent.

6. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, without going into the merits of the claim projected by the petitioner, directs the respondent to consider and dispose of the petitioner's representation dated 01.07.2016 on merits and 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. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi

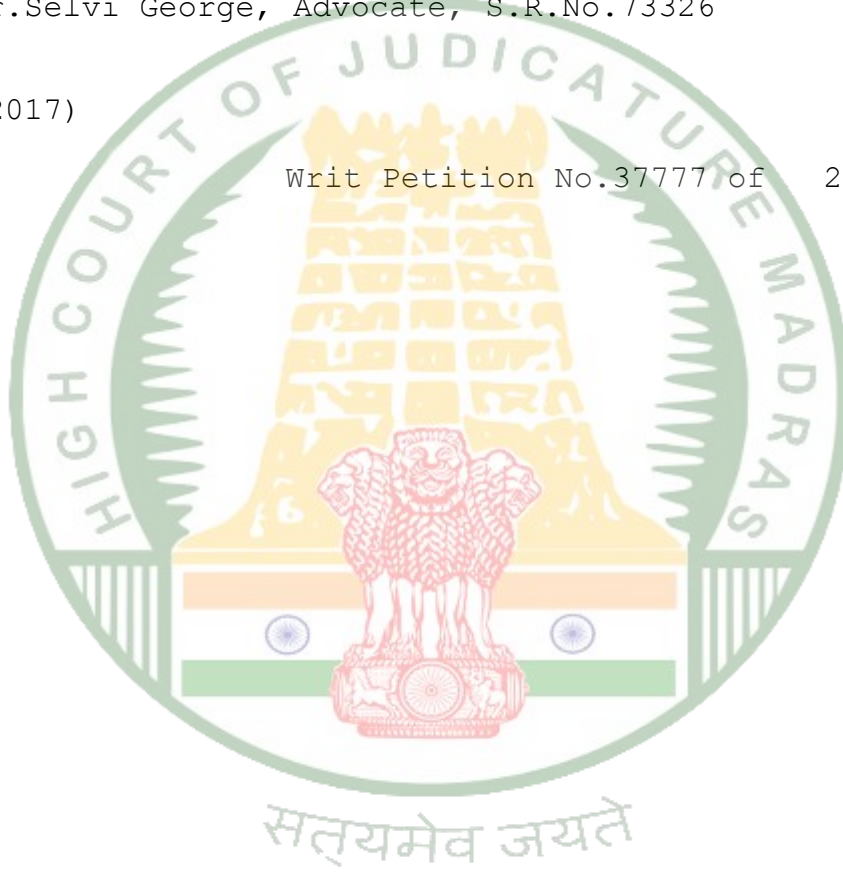
To

The Principal Chief Conservator of Forest
and Head of Forest Force,
Panagal Malagai,
Saidapet,
Chennai - 15.

+1cc to Mr.Selvi George, Advocate, S.R.No.73326

mg(CO)
md(06/01/2017)

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