

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15901 of 2017

1. R.Mahendran
 2. M.Senthil Kumar
 3. K.Ganesh Ram
 4. R.Muralidharan
 5. A.Madan Kumar
- .. Petitioners

-vs-

1. Government of Tamil Nadu
represented by Secretary to Government
Environment and Forest Department
Secretariat, Chennai 600 009
 2. The Principal Chief Conservator of Forest
Head of the Forest Department
Panagal Maligai
Saidapet
Chennai 600 015
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to include the name of the petitioner in the panel for promotion as Assistant Conservator of Forest for year 2016-17 in the appropriate place therein and to promote them as such with consequential benefits.

For Petitioners:: Mr.R.Singaravelan
Senior Counsel for
Mr.A.Tamilrajan

For Respondents:: Mr.M.Santhanaraman
Add.l Government Pleader
(Forests)

ORDER

The petitioners, who were appointed as Foresters in the Department of Forest between 1998 and 2000 by way of direct recruitment, got promotion as Forest Range Officers in the year 2010-11. It is also their claim that they became fully eligible to be promoted as Assistant Conservator of Forest. Therefore,

the Principal Chief Conservator of Forests, in his proceedings dated 8.1.2016, called for details of the Forest Range Officers for their consideration to the further promotion as Assistant Conservator of Forests. Subsequently, the names of the petitioners were also shown in the panel list. But only 14 persons have been included in the panel for 2015-16 in G.O.(D) No.38, Environment and Forest (FR.1) Department dated 29.2.2016 deleting others. Therefore, the petitioners have given a representation stating that when there are 30 permanent posts and also some estimated vacancies not properly decided, the respondents should prepare a panel including the permanent posts available on the date of preparing the panel and also considering the estimated vacancies. Since the said representation has not been considered, they have come to this Court.

2. The learned Additional Government Pleader for the respondents submitted that the panel could be prepared only taking into account of the available vacancies.

3. When the sanctioned strength in the cadre of Assistant Conservator of Forest as per the booklet issued by the second respondent for the year 2016 shows that there are 30 posts, after considering the future estimated vacancies, the respondents can consider the case of the petitioners by disposing of their representation on merits. In view thereof, the respondents are directed to consider the representation of the petitioners on merits and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. Consequently, W.M.P.Nos. 17214 & 17215 of 2017 are closed. No costs.

Sd/-

Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

ss

To

1. The Secretary to Government
Environment and Forest Department
Secretariat
Chennai 600 009

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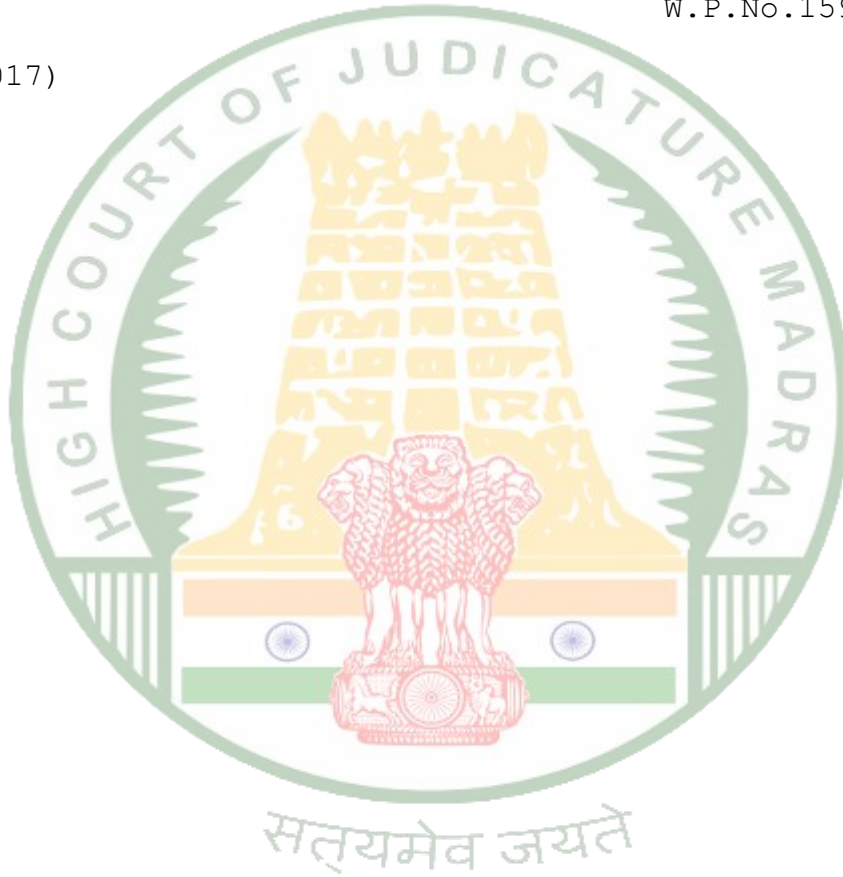
2. The Principal Chief Conservator of Forest
Head of the Forest Department
Panagal Maligai
Saidapet
Chennai 600 015

+1cc to Special Government Pleader(Forest), sr.44376

+1cc to M/s.Tamil Rajan,sr.44434

W.P.No.15901 of 2017

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ss(30/6/2017)



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