



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.A(MD)No.977 of 2017

and

C.M.P(MD)No.6635 of 2017

1. The Secretary,
Environment & Forest Department,
Government of Tamil Nadu,
Chennai.

2. The Principal Chief Conservator of Forests,
Panagal Park, Chennai.

3. The District Forest Officer,
Sirumalai Idaipadukadugal Division,
Dindigul.

... Appellants

Vs.

S.Manoharan

... Respondent

Prayer : This Writ Appeal is filed under Clause 15 of Letters Patent, to set aside the order dated 01.04.2013 made in WP(MD) No.5554 of 2009.

Prayer in WP(MD). 5554/ 2009 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated passed by the 3rd respondent in NA.KA.No.4372/2008 D2, quash the same and direct the respondents 1 and 2 to consider the case of the petitioner for being promoted to the post of Forest Watcher.

For Appellants : Mr.T.S.Md.Mohideen, AGP
For Respondent : Mr.S.Anand Chandrasekar
for M/s.Sarvabhauman Associates

J U D G M E N T

(Judgment of the Court was delivered by G.R.SWAMINATHAN, J.)

The Government of Tamil Nadu is on appeal challenging the order dated 01.04.2013 in WP(MD)No.5554 of 2009 filed by the respondent herein.



2.The respondent filed the said writ petition aggrieved by the order dated 31.03.2009 passed by the third respondent herein denying promotion to the writ petitioner to the post of Forest Watcher on the ground that he does not fulfil the minimum height requirement of 163 cms. Following an earlier decision of this Court reported in **(2013(1) LLN - 203 Madras) Ranjith Kumar and Others Vs. The Secretary, Tamil Nadu Public Service Commission and others**, the learned Judge allowed the writ petition. Aggrieved by the same, this writ appeal was preferred.

3.But, during the pendency of the writ appeal, the Principal Chief Conservator of Forests, Chennai-15 issued proceedings dated 02.08.2017 absorbing the writ petitioner as Forest Watcher by relaxing the minimum height requirement of 163 cms.

4.In view of the subsequent development, nothing survives for adjudication in this writ appeal. It stands dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

+1cc to Mr.S.Anand Chandrasekar, Advocate Sr.No.74949
+1cc to Spl.Government Pleader Sr.No.74909

SKM/ARUL

VB/SV/MMS/SAR2/18/09/2017/2P/3C

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and
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