

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.1.2018.

CORAM

**THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN**

**C.M.P.No.580 of 2018
in
W.A. SR.97413 of 2013
and
W.A. SR.97413 of 2013**

R.Arumugam

Petitioner/Appellant

Versus

1. The Principal Chief Conservator
of Forest,
Panagal Maligai, Saidapet,
Chennai 600 015.

2. The Conservator of Forest,
(Working Plan Circle),
Vellore-632 009.

Respondents/Respondents

Prayer: Petition filed under Order 4 Rule 9(4) of A.S.Rules to condone the delay of 1370 days in re-presenting the above Writ Appeal S.R.No.97413 of 2013.

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 9.10.2013 made in W.P.No.26109 of 2010 on the file of this court.

For petitioner/appellant : Mr.R.Chyandrasekaran for
Mr.S.Mani

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the petitioner/appellant.

2. The writ appeal has been filed by the appellant/writ petitioner challenging the order of dismissal of the writ petition passed by the learned Single Judge and thereby declining to quash the promotion panel challenged by the writ petitioner.

3. It appears that the appellant/writ petitioner, has joined the Forest Department as Forester on 30.3.1982 and retired on 31.10.2008. His grievance is that he was not considered for the promotion to the post of Ranger on the ground that he was due to retire by 31.10.2008 and hence, he challenged the impugned panel.

4. The learned Single Judge, having appreciated the facts and circumstances of the case, has observed as under:-

"6. In this case, it is not disputed that the petitioner retired from service on 31.10.2008 on reaching the age of superannuation. The impugned panel is dated 30.10.2008. As on 31.10.2008, nobody was promoted as Ranger. After the publication of the panel, even if his name was included in the panel, he should have undergone the training for a period of one year. Even before the same, he retired from service on 30.10.2008. Hence, I do not find any infirmity in the impugned order. The writ petition fails and the

same is dismissed. ..."

5. There is a delay of nearly four years in re-presenting the writ appeal challenging the above order. In view of the factual finding and the reasoned decision taken by the learned Single Judge, we are of the view that it does not serve any purpose in entertaining the appeal by condoning the inordinate delay in re-presenting the writ appeal. Accordingly, the petition seeking to condone the delay is dismissed and consequently, the writ appeal at SR stage is rejected. No costs.

(H.G.R.,J.)(T.K.R.,J.)
19.1.2018.

Index:Yes/No
Internet:Yes/No
ssk.

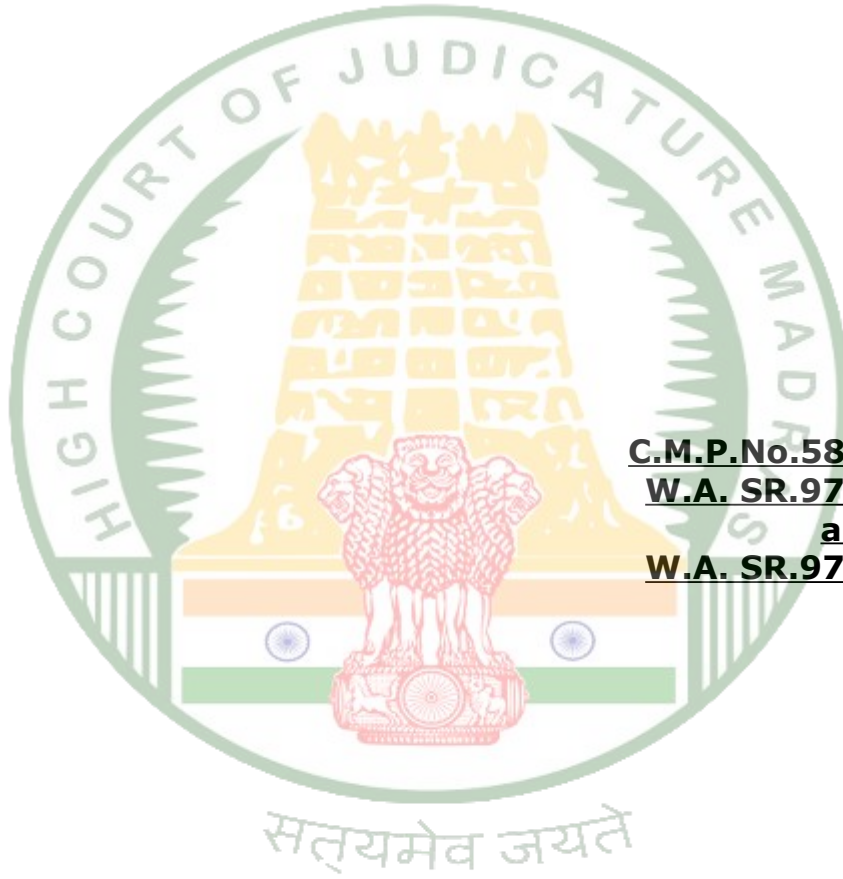
To

1. The Principal Chief Conservator
of Forest,
Panagal Maligai, Saidapet,
Chennai 600 015.
2. The Conservator of Forest,
(Working Plan Circle),
Vellore-632 009.

WEB COPY

**HULUVADI G. RAMESH, J.
AND
RMT.TEEKAA RAMAN, J**

ssk.



**C.M.P.No.580 of 2018 in
W.A. SR.97413 of 2013
and
W.A. SR.97413 of 2013**

WEB COPY

19.1.2018.