

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.15416 of 2019

L.Pandian

.. Petitioner

-VS-

1.Government of Tamil Nadu,
Rep., by Principal Secretary to Government,
Environment and Forests Department,
Secretariat, Chennai-600 009.

2.The Conservator of Forests,
Tiruchirapalli Circle, Tiruchirapalli.

3.The Assistant Conservator of Forests,
Forest Protection Squad, Tiruchirapalli.

.. Respondents

Petition under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 1st respondent to consider and pass orders on the petitioner's appeal dated 05.11.2018 for notional promotion as Forester w.e.f., 26.12.2012 and with consequential benefits within a limited time frame as deem fit by this Court.

For Petitioner :Mr.S.Senthil

For Respondents :Mr.M.Elumalai,
Government Advocate

सत्यमेव जयते

O R D E R

This writ petition has been filed by the petitioner for issuance of a Writ of Mandamus directing the 1st respondent to consider and pass orders on the petitioner's representation dated 05.11.2018, for notional promotion as Forester w.e.f., 26.12.2012 and with consequential benefits within a limited time frame as deem fit by this Court.

2.Heard Mr.S.Senthil, learned counsel for the petitioner and Mr.M.Elumalai, learned Government Advocate for the respondent.

3.With consent, this writ petition is taken up for final disposal.

4.The case of the petitioner is that the petitioner was appointed as Forest Watcher on 24.01.1995, and his services was regularized with effect from the same date. When the panel was prepared for the post of Forester for the year 2010-11, the petitioner's name was not found in the panel, though he became fully eligible and qualified for being empanelled and though his name was recommended for empanelment. Subsequently, for the year 2011-12 also, his name was not included in the panel and he was retired from service on 30.06.2012 A.N. After retirement, the petitioner made a representation to the 1st respondent on 05.11.2018, for notional promotion with effect from 26.12.2012. Till date the representation has not been considered. Hence, the present writ petition.

5.The learned counsel appearing for the petitioner would submit that it would suffice, if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 05.11.2018 within a stipulated time frame.

6.Considering the limited prayer sought for by the petitioner, without going into the merits of the case, this Court directs the 1st respondent to consider the petitioner's representation dated 05.11.2018, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

abr

To

1.The Principal Secretary to Government,
Government of Tamil Nadu,
Environment and Forests Department,
Secretariat, Chennai-600 009.

2.The Conservator of Forests,
Tiruchirapalli Circle,
Tiruchirapalli.

3.The Assistant Conservator of Forests,
Forest Protection Squad,
Tiruchirapalli.

+1cc to Mr.S.Senthil, Advocate SR.86197
+1cc to Spl Government Pleader(Forest), SR.85286

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(CO)
CB(08/11/2019)



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