

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.19697 of 2019

and

W.M.P.No.19347 of 2019

1.N.Imayaraj
2. R.Raja
3. V.Kumar
4.J.Gopalakrishnan ... Petitioner

Vs.

1.The Principal Chief Conservator of Forests
Panagal Building, Saidapet, Chennai-15.
2.The Conservator of Forest,
Villupuram Circle, Villupuram.
3. District Forest Officer,
Villupuram Division, Villupuram. ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to revise the seniority of the petitioners on par with the candidates selected along with them through the selection conducted on 28.03.1997 by placing them after Thiru. S.Elango in Seniority No.617 and above the name of Thiru N.Kandasamy in seniority No.618 of the seniority List of Forests Guards and grant them all attendant benefits including promotion.

For Petitioner : Mr.A. Arul Mozhi
For Respondents : Mr.M. Elumalai
Government Advocate

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ORDER

This writ petition has been filed directing the respondents to revise the seniority of the petitioners on par with the candidates selected with them on 28.03.1997 and grant them all attendant benefits including promotion.

2.The case of the petitioner is that the petitioners were issued call letters by the second respondent in Letter No.187/97E dated 28.03.1997 to attend interview on 07.04.1997 for the post of Forest Guard. Challenging the same, the Tamil Nadu Social Forestry Employees and Forest plot watchers filed an Original application before the Tamil Nadu Administrative Tribunal in O.A.No.1891 of 1997 and an interim order was passed on 17.03.1997, directing the first and second respondents herein not to fill up the post of Forest Guards by direct Recruitment. However, the Tribunal passed final order on 01.19.1999 to continue the selection process and fill up the posts. On 01.11.2000 the petitioners came to know that some of the selected candidates in Villupuram District were issued appointment orders by the third respondent. Hence, the petitioners made representation to the second respondent on 14.11.2000 requesting for appointments orders and finally the petitioners were appointed in the said post on 22.05.2001.

3. During the year 2011 the first respondent prepared a promotional panel for the post of Foresters from Forest Guards, and the list includes the persons who were appointed till the year 2000. But, the names of the petitioners were not included as they were appointed on 22.05.2001. Hence, the petitioners made a representation dated 26.11.2011 and 10.04.2019 to include their names in the promotional panel, as their appointment was made in year 2001 due to the O.A. filed before the Administrative Tribunal, and the same was not considered hence, the petitioners issued legal notice to the first respondent on 19.12.2011, 25.04.2013 and 14.05.2013.

4.The first respondent without considering the said legal notices issued promotional list in B236480/2016 dated 20.06.2017 for the post of Forest Ranger from Forest Guard and candidates who were selected along with the petitioners have been promoted but the petitioners names were not in the promotional list. Therefore, the petitioners have filed this writ petition to consider the representation and revise the seniority list with all attendant benefits.

5.Taking into consideration the facts and circumstances of this case, since the petitioners come under the purview of Common Cadre Employees, the first respondent herein is the competent person to consider the representation dated 10.04.2019 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions is closed.

Sd/-
Assistant Registrar (CS-VIII)

// True Copy//

Sub Assistant Registrar

smn

To.

- 1.The Principal Chief Conservator of Forests
Panagal Building, Saidapet, Chennai-15.
- 2.The Conservator of Forest,
Villupuram Circle, Villupuram.
3. District Forest Officer,
Villupuram Division, Villupuram.

+2cc to Ms. A.Arulmozhi, Advocate, SR.No. 98151.
+1cc to Government Pleader, SR.No.98190.

W.P.No.19697 of 2019
and
W.M.P.No.19347 of 2019

VGI (CO)
CSR:10/01/2020



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