

IN THE HIGH COURT OF JUDICATURE AT MADRAS

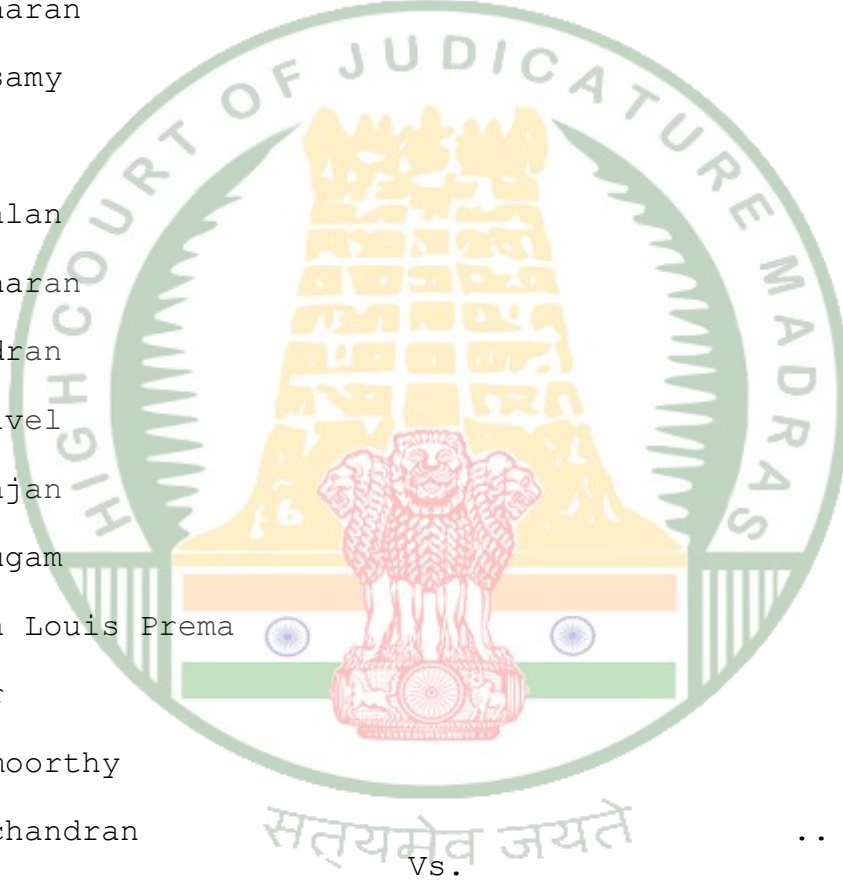
DATED :14.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.21499 of 2019

- 1.C.Sundarajan
- 2.K.Damodharan
- 3.P.Kuppusamy
- 4.C.Mani
- 5.R.Jayabalan
- 6.V.Damodharan
- 7.R.Rajendran
- 8.A.Palanivel
- 9.M.Natarajan
- 10.S.Arumugam
- 11.A.Maria Louis Prema
- 12.P.Sekar
- 13.G.Ramamoorthy
- 14.S.Ramachandran



.. Petitioners

Vs.

1.Government of Tamil Nadu,
Rep. by its Secretary,
Environment and Forest Department,
Fort St. George, Chennai - 600 009.

2.The Principal Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai - 600015.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus, to

direct the respondents to include the names of the petitioners in the panel drawn for promotion to the post of Forester for the year 2011-2012, give promotion to the petitioners to the post of Forester on par with their juniors (i.e.) 18.04.2013 without insisting for completion of Vaigai Dam Training within specified period on 18.04.2013 in the light of the order passed by this Hon'ble Court in W.P.No.1341 of 2015 dated 01.06.2015 and W.P.No.40881 of 2016 dated 22.11.2016. With all Consequential Service and Monitory benefits.

For Petitioner : Mr.Chellapandian
Senior Counsel
for Mr.S.Mani

For Respondents : Mr.M.Elumalai
Government Advocate

O R D E R

The prayer sought for in this Writ Petition is to direct the respondents to include the names of the petitioners in the panel drawn for promotion to the post of Forester for the year 2011-2012, give promotion to the petitioners to the post of Forester on par with their juniors (i.e.) 18.04.2013 without insisting for completion of Vaigai Dam Training within specified period on 18.04.2013 in the light of the order passed by this Hon'ble Court in W.P.No.1341 of 2015 dated 01.06.2015 and W.P.No.40881 of 2016 dated 22.11.2016.

2. The case of the petitioners is that they all joined the service of the respondent Department as Plot Watcher on daily wage basis between the years 1980 and 1985. In the year 1994, the petitioners' names were included in State wide seniority list. However, in the year 1995, the service of the juniors of the petitioners were regularized in the cadre of Forest Watcher. In the year 2004, petitioners' juniors were given further promotion as Forest Guard. Thereafter, the petitioners were given promotion as Forest Watcher and subsequently promoted as Forest Guard. The petitioners' next avenue of promotion is a Forester. The petitioners' juniors were given promotions for the year 2011 - 2012 panel. However, the petitioners' claim is yet to be considered on the ground that not completed Vaigai Dam Training. Subsequently, the petitioners also completed the Vaigai Dam Training. On 10.01.2015, the petitioners made a representation to the respondents requesting to include their names in the panel drawn for promotion to the post of Forester on par with their juniors. However, the said representation was not considered. Therefore, the present Writ Petition has been filed.

3. The learned Senior counsel appearing for the petitioners would submit that it would be suffice to issue direction to the 2nd respondent to consider and dispose of the petitioners' representation dated 10.01.2015, on merits and in accordance with law.

4. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioners, I am inclined to issue direction to the 2nd respondent to consider and dispose of the petitioners' representation dated 10.01.2015 within a period of twelve weeks from the date of receipt of a copy of this order, on merits and in accordance with law. It is seen that acknowledgment for the representation is not available. Hence, the petitioners are directed to produce the representation along with this order copy to enable the 2nd respondent to pass appropriate orders.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (JJ Act)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary,
Government of Tamil Nadu,
Environment and Forest Department,
Fort St. George, Chennai - 600 009.

2.The Principal Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai - 600015.

+14cc to Mr.S.Mani, Advocate, S.R.No. 94694 & 94803
+1cc to the Special Government Pleader (Forest), S.R.No. 94840

W.P.No.21499 of 2019

KK(CO)
GN(29/01/2020)