

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30754 of 2019

and

WMP.No.30838 of 2019

1. A. Elumalai  
Forest Range,  
Polur Range,  
Tiruvannamalai Division,  
Vellore Circle.

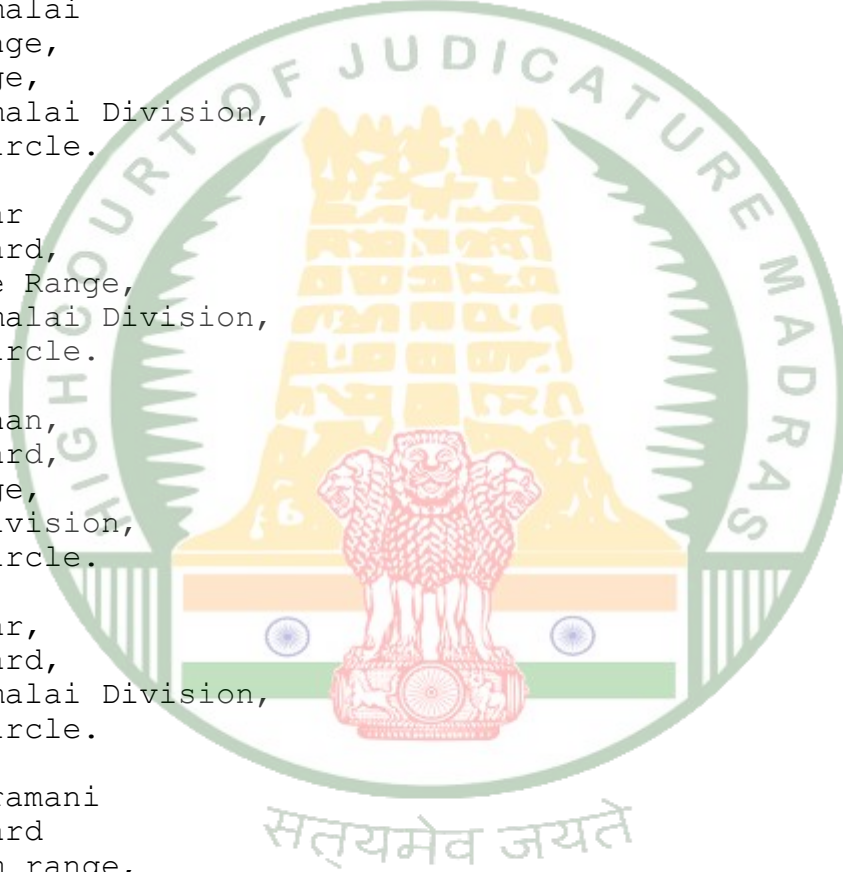
2. A. Sekar  
Forest Guard,  
Sathanoore Range,  
Tiruvannamalai Division,  
Vellore Circle.

3. J. Kannan,  
Forest Guard,  
Arcot Range,  
Vellore Division,  
Vellore Circle.

4. G. Sekar,  
Forest Guard,  
Tiruvannamalai Division,  
Vellore Circle.

5. V. Subramani  
Forest Guard  
Gudiyattam range,  
Vellore Division,  
Vellore Circle.

6. K. Pitchai Muthu,  
Forest Guard,  
Ulandi Range,  
Pollachi Division,  
Anaimalai Tiger Reserve Forest,  
Anaimalai,  
Coimbatore District.



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7. V.A.Manoharan,  
Forest Watcher,  
Nadanoor range,  
Tiruvannamalai Division,  
Vellore Circle.

8. N. Sampath  
Forest Guard,  
Santhanoore Range,  
Tiruvannamalai Division,  
Vellore Circle.

9. C. Devadoss  
Forest Guard,  
Tiruvannamalai Division,  
Vellore Circle.

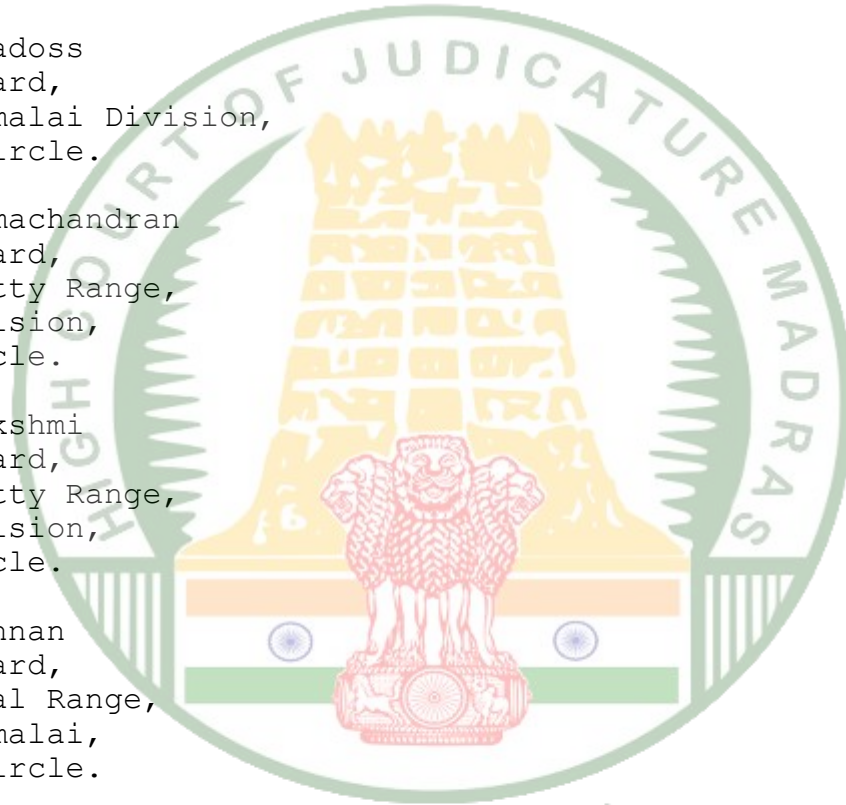
10. N. Ramachandran  
Forest Guard,  
Thammampatty Range,  
Salem Division,  
Salem Circle.

11. M. Lakshmi  
Forest Guard,  
Thammampatty Range,  
Salem Division,  
Salem Circle.

12. P. Kannan  
Forest Guard,  
Santhavasal Range,  
Tiruvannamalai,  
Vellore Circle.

13. P. Mani  
Forest Guard,  
Polur Range,  
Tiruvannamalai Division,  
Vellore Circle.

14. S. Mohammed Ajam  
Forest Guard,  
Thirupathur Range and Division,  
Vellore Circle.



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15. G. Ragothaman  
Forest Guard,  
Attur Range,  
Salem Division,  
Salem Circle.

16. A. Chandran,  
Forest Guard,  
Cunoor Forest Range,  
Nilgiris Division,  
Coimbatore Circle.

17. S. Gopal  
Forest Guard,  
Polampatty Range,  
Coimbatore Division,  
Coimbatore Circle.

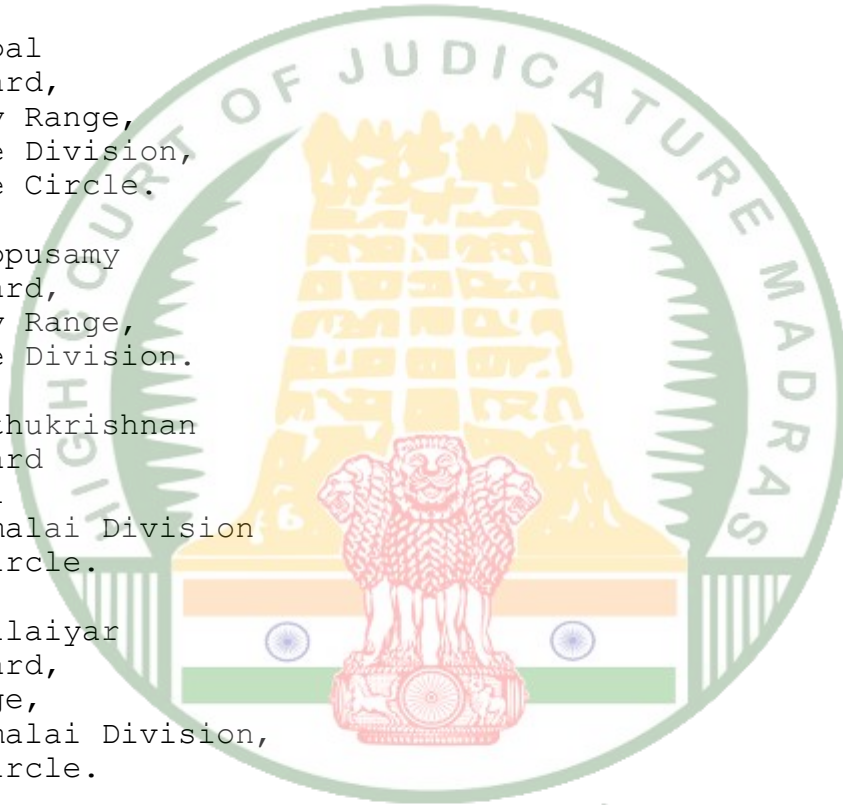
18. C. Kuppusamy  
Forest Guard,  
Polampatty Range,  
Coimbatore Division.

19. K. Muthukrishnan  
Forest Guard  
Sandavasal  
Tiruvannamalai Division  
Vellore Circle.

20. T. Pillaiyar  
Forest Guard,  
Polur Range,  
Tiruvannamalai Division,  
Vellore Circle.

21. S. Moorthy  
Forest Guard  
Arani Range  
Tiruvannamalai Division  
Vellore Circle.

22. V. Asaithambi  
Forest Guard  
Kelur Range  
Tiruvannamalai Division  
Vellore Circle.



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23. S. Arumugam  
Forest Guard  
Sandavasal Range  
Tiruvannamalai Division  
Vellore Circle.

24. S. Parasuraman  
Forest Guard  
Sandavasal Range  
Tiruvannamalai Division  
Vellore Circle.

25. N.S.S. Mani  
Forest Guard,  
Villupuram Range and  
Villupuram Division.

26. M. Thiruvenkuttam  
Forest Guard,  
Chengam Range,  
Tiruvannamalai Division,  
Vellore Circle.

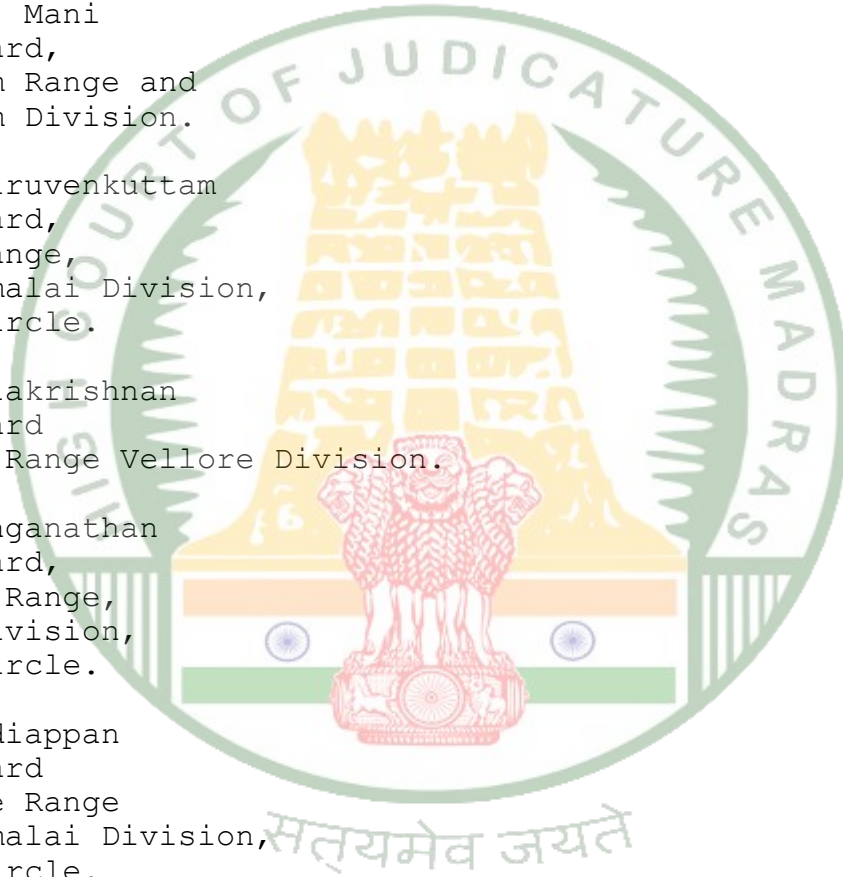
27. C. Balakrishnan  
Forest Guard  
Alangayam Range Vellore Division.

28. P. Renganathan  
Forest Guard,  
Alangayam Range,  
Vellore Division,  
Vellore Circle.

29. A. Vediappan  
Forest Guard  
Sathanoore Range  
Tiruvannamalai Division,  
Vellore Circle.

30. A. Michael  
Forest Guard  
Natesan Range,  
Tiruvannamalai Division,  
Vellore Circle.

31. K. Baskaran  
Forest Guard  
Odukathur Range,  
Vellore Division,  
Vellore Circle.



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32. M. Subrayan  
Forest Guard,  
Nadanoor Range,  
Tiruvannamalai Division,  
Vellore Circle.

33. V. Govindan,  
Forest Guard  
Sandavasal Range  
Tiruvannamalai Division  
Ellore Circle.

34. T. Rajendran  
Forest Guard  
Dharmapuri Range,  
Dharmapuri Division.

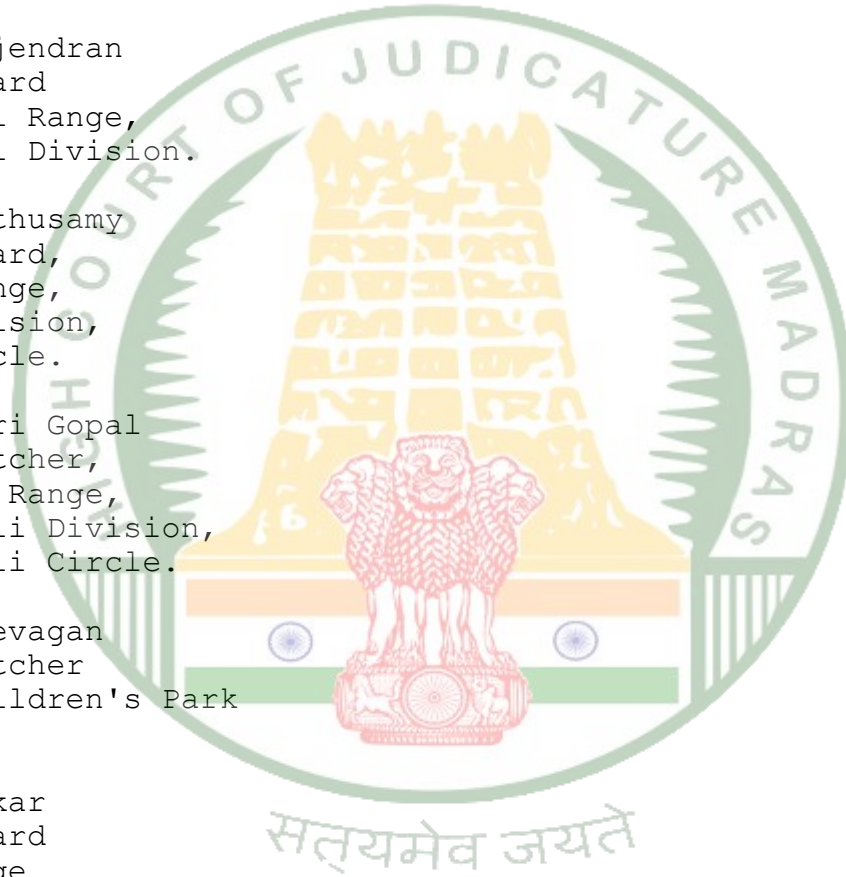
35. C. Muthusamy  
Forest Guard,  
Mettur Range,  
Salem Division,  
Salem Circle.

36. N. Hari Gopal  
Forest Watcher,  
Courtalam Range,  
Tirunelveli Division,  
Tirunelveli Circle.

37. S. Jeevagan  
Forest Watcher  
Guindy Children's Park  
Chennai

38. M. Sekar  
Forest Guard  
Polur Range  
Tiruvannamalai Division  
Vellore Circle.

39. V. Govindan  
Forest Guard  
Manapparai Range  
Trichy Division and  
Trichy Circle.



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40. C. Karuppian  
Forest Guard  
Manapparai Range  
Trichy Division and Circle.

41. P. Orumaiyan  
Forest Guard  
Devaramkurichi Range,  
Trichy Division and  
Trichy Circle.

42. V. Pitchai Muthu  
Forest Guard  
Manapparai Range  
Trichy Division and  
Trichy Circle.

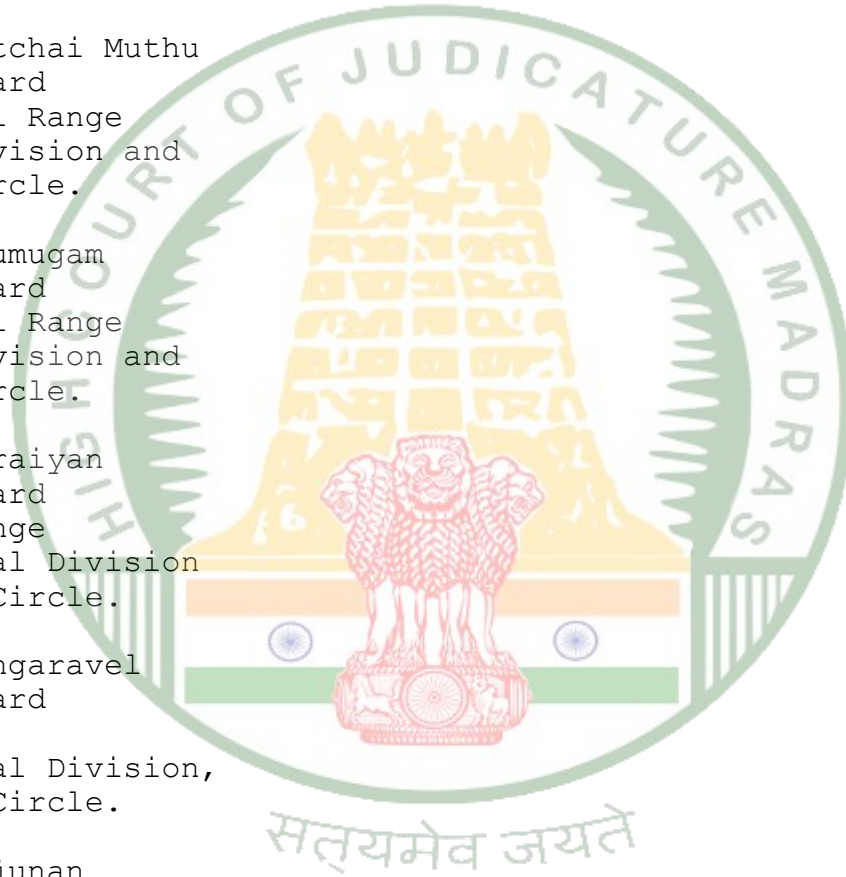
43. N. Arumugam  
Forest Guard  
Manapparai Range  
Trichy Division and  
Trichy Circle.

44. T. Duraiyan  
Forest Guard  
Palani Range  
Kodaikkanal Division  
Dindigul Circle.

45. M. Singaravel  
Forest Guard  
Palani  
Kodaikkanal Division,  
Dindigul Circle.

46. A. Arjunan  
Forest Guard  
Palani  
Kodaikkanal Division,  
Dindigul Circle.

47. A. Bhojan  
Forest Guard  
Palani  
Kodaikkanal Division  
Dindigul Circle



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48. P. Gopal  
Forest Guard  
Palani  
Kodaikkanal Divisional,  
Dindigul Circle.

49. K. Ameer Batsha  
Forest Guard  
Palani  
Kodaikkanal Division,  
Dindigul Circle.

50. K. Selvaraj  
Forest Guard,  
Ottanchatram Range,  
Dindigul Division,  
Dindigul Circle.

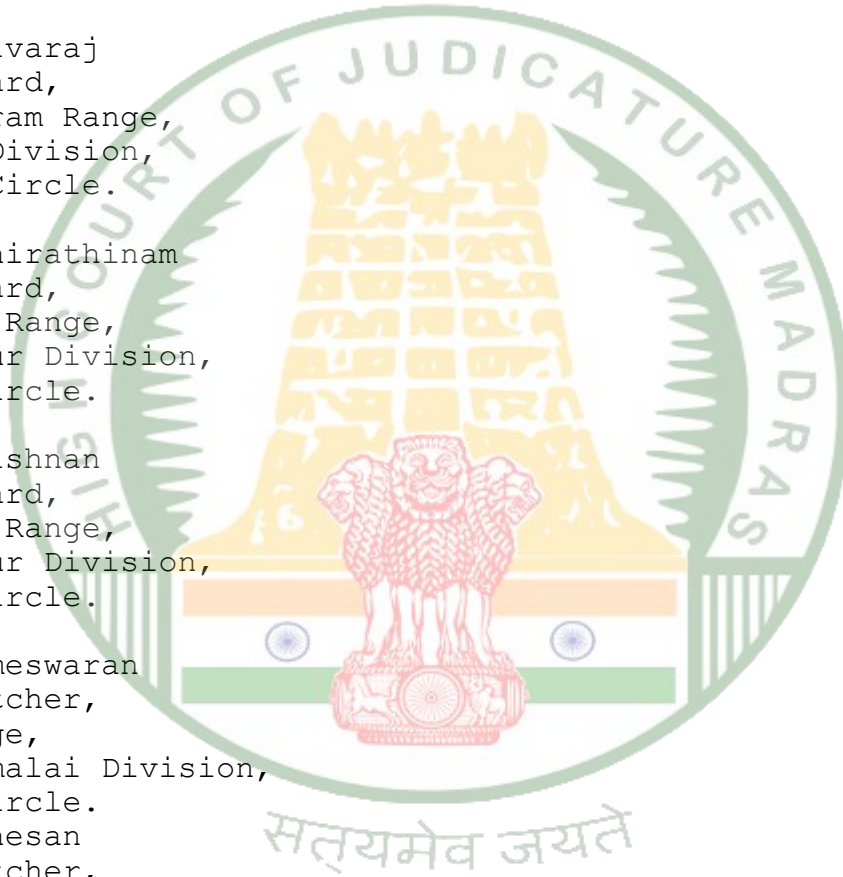
51. G. Munirathinam  
Forest Guard,  
Alangayam Range,  
Thirupathur Division,  
Vellore Circle.

52. C. Krishnan  
Forest Guard,  
Alangayam Range,  
Thirupathur Division,  
Vellore Circle.

53. G. Someswaran  
Forest Watcher,  
Arani Range,  
Tiruvannamalai Division,  
Vellore Circle.

54. E. Ganesan  
Forest Watcher,  
Arani Range,  
Vellore Division,  
Vellore Circle.

55. V. Vadivelu,  
Forest Guard,  
Erode Protection Squad,  
(Sathyamangalam Tiger Reserve)  
Roja Nagar,  
Erode Circle.



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56. P. Vijayan,  
Forest Guard,  
Madurai Range,  
Madurai Division,  
Madurai Circle.

..Petitioners

vs

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

2. The Principal Chief Conservator of Forests,  
Panagal Building,  
Saidapet,  
Chennai - 600 015.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, or any other appropriate writ, order or direction in the nature of writ, directing the respondents to consider the notional promotion to the petitioners as Forest Guard on par with their juniors by including their name in the panel drawn for the year 2003-2007 with effect from 31.5.2004 in the light of the order passed in W.P.No.15726 of 2015 dated 27.04.2016 and in the light of the proceedings of the 2<sup>nd</sup> respondent dated 10.10.2014 by considering the representation dated 18.06.2018 of the petitioners within the time limit to be stipulated.

For Petitioners: Mr. S. Mani

For Respondents: Mr. M. Elumalai, Government Advocate

सत्यमेव जयते  
O R D E R

With the consent of both the parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioners filed this Writ Petition seeking directing the respondents to consider the notional promotion to the petitioners as Forest Guard on par with their juniors by including their name in the panel drawn for the year 2003-2007 with effect from 31.5.2004 in the light of the order passed in W.P.No.15726 of 2015 dated 27.04.2016 and in the light of the proceedings of the 2<sup>nd</sup> respondent dated 10.10.2014 by considering the representation dated 18.06.2018 of the petitioners within the time limit to be stipulated.

2. The case of the petitioner is that the petitioners joined as Plot Watchers on daily wage basis in the forest department in the year 1982-1984. Then the statewide seniority list drawn in which the names of the petitioners were included. Subsequently, the services of the juniors of the petitioners were regularized in the cadre post of Forest Watcher in the year 1995. The petitioners' juniors were given further promotion to the post of Forest Guard. On 23.10.2013, the respondents 1 and 2 passed orders by complying the order passed by this court by regularizing the services of the petitioners as notionally in the cadre of Forest Watcher on par with their juniors w.e.f. 24.01.1995. In the similar circumstances, the similarly placed persons like the petitioners have filed writ petition in W.P.No.15726 of 2015 and the same was allowed by this Court. Thereafter On 18.06.2016, the petitioners submitted representation seeking to promote them to the post of forest guard retrospectively on par with their juniors by including their name in the panel for the year 2003-2007 and to promote them as forest guard from 31.05.2014 on par with their junior in the light of the proceedings of the second respondent dated 10.10.2014. However, no order has been passed till date. Hence the present Writ Petition.

3. The learned counsel for the petitioners would submit that it would be suffice to issue direction to the second respondent to dispose of the representation dated 18.06.2016 on merits and in accordance with law.

4. Mr. M. Elumalai, Government Advocate, learned counsel for the respondents agreed to dispose of the representation dated 18.06.2016 within a reasonable time.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the second respondent to dispose of the representation dated 18.06.2016 on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

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

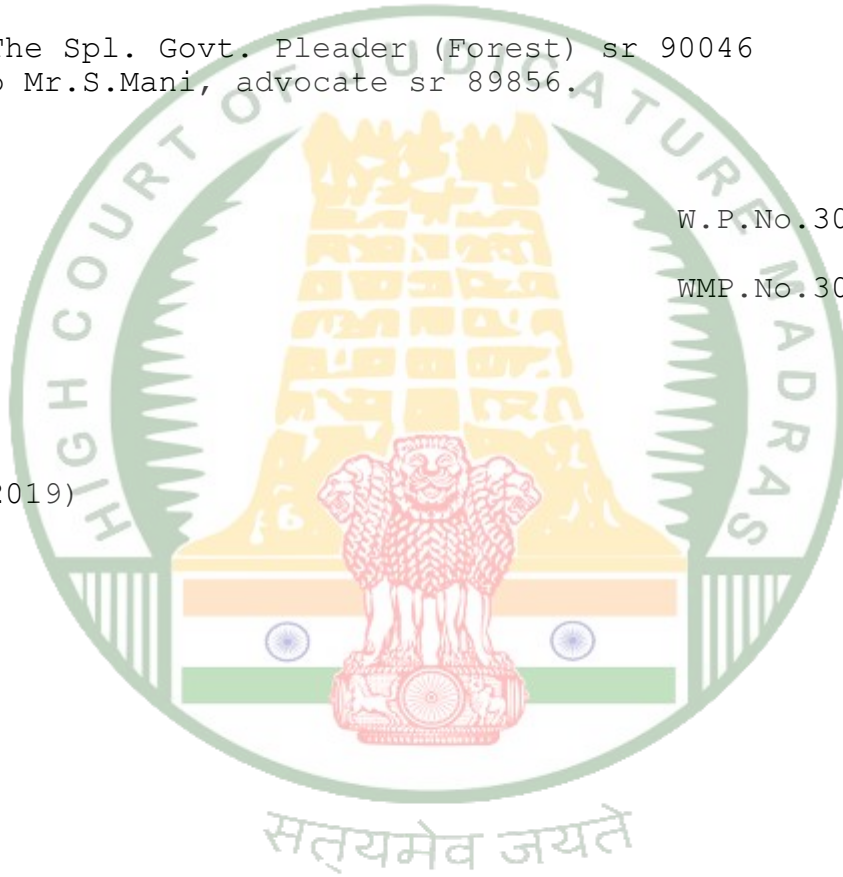
2. The Principal Chief Conservator of Forests,  
Panagal Building,  
Saidapet,  
Chennai - 600 015.

+1 CC to The Spl. Govt. Pleader (Forest) sr 90046

+56 CCS to Mr.S.Mani, advocate sr 89856.

W.P.No.30754 of 2019  
and  
WMP.No.30838 of 2019

SP(03/12/2019)



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