

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.12.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.34536 of 2019

and

WMP No.35238 of 2019

1. K.Sekar
2. C.Balaiyan
3. R.G.Mani
4. M.Muniyan
5. V.Dhanacheliyan
6. M.Sivalingam
7. E.Gopal
8. M.Thulasi Raman

...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 Forest,
Office at Panagal Maligai,
Saidapet, Chennai 600 015

..Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to order promotion to the petitioners as Forest Guard on par with their juniors with effect from 31.05.2004 in the light of the order passed in wP No.15276 of 2015 dated 27.04.2016 and in the light of the proceedings of the 2nd respondent dated 10.10.2014 considering the representation dated 15.11.2018 of the petitioners with the time limit to be stipulated by this Court.

For Petitioner : Mr.T.Sellapandian for
S.Mani

For Respondents : Mrs.Thangavadana Balakrishnan
Additional Government Pleader

O R D E R

This writ petition has been filed for a writ of Mandamus directing the respondents to order promotion to the petitioners as a Forest Guard on par with their juniors.

2. It is the case of the petitioners that they joined as a Plot watchers on daily wage basis in the Forest Department between 1980 to 1984. Thereafter, the state-wide seniority list was drawn and the names of the petitioners were also included in the year 1994. It is the grievance of the petitioners that the service of the juniors was regularized in the cadre post of Forest Watcher in the year 1995 and they were also given further promotion as Forest Guard in the year 2004. Whereas in the case of the petitioners, their services were regularised in the cadre of Forest Watcher only between the period 2003 to 2010. The petitioners had earlier approached this Court seeking for regularization of their services in the cadre post of Forest Watcher on par with their juniors and orders were also passed by this Court. Thereafter, the 1st respondent had also complied with the said order by regularizing the service of the petitioners in the cadre of Forest Watcher.

3. The petitioners are now seeking for further promotion as Forest Guard on par with their juniors and they want their names to be included in the panel for the year 2003-2004 and consequently, to give them promotion. The petitioners have made a representation to the respondent on 15.11.2018 in this regard. Since the same has not been considered, the present writ petition has been filed before this Court.

4. Heard the learned counsel appearing for the petitioners and the learned counsel appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for by the petitioners, there shall be a direction to the 2nd respondent to consider the representation made by the petitioners on 15.11.2018 and prepare a proposal strictly in accordance with law, within a period of six weeks from the date of receipt of copy of this order and submit the same to the 1st respondent and the 1st respondent shall pass appropriate orders within a period of six weeks, thereafter. The petitioners are also directed to give a fresh representation to the 2nd respondent along with copy of the earlier representation dated 15.11.2018 and all the other necessary materials, along with copy of this order.

6. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar

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To

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 Forest,
Office at Panagal Maligai,
Saidapet, Chennai 600 015

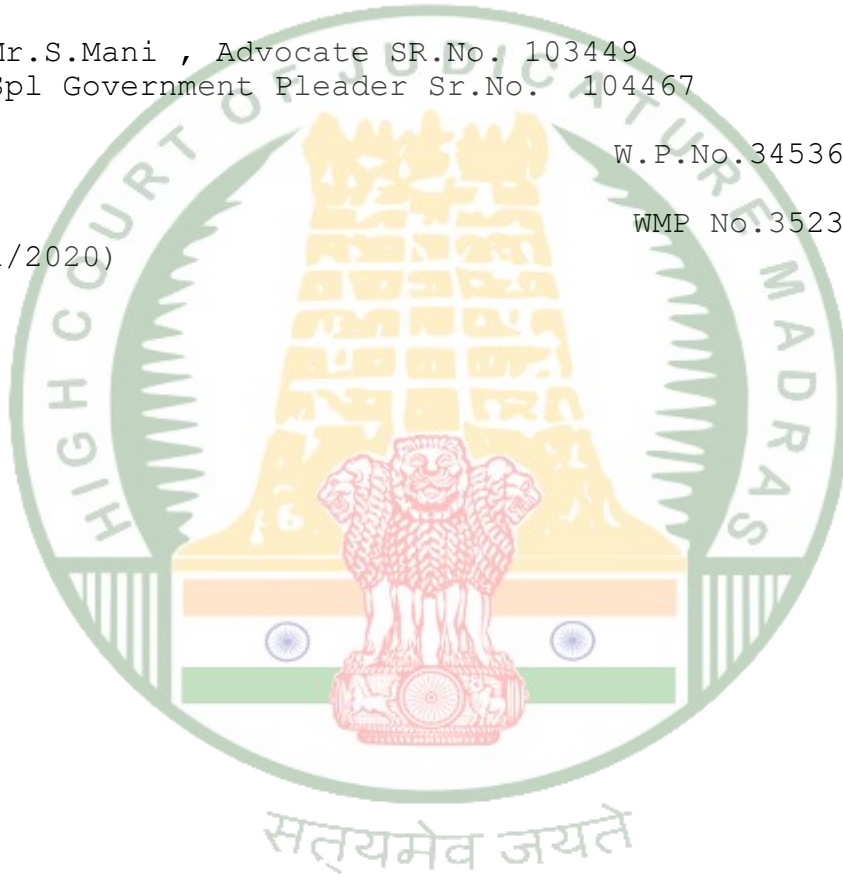
+8ccs to Mr.S.Mani , Advocate SR.No. 103449

+1 cc to Spl Government Pleader Sr.No. 104467

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A.SK(28/01/2020)



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