

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.2608 of 2020

1. S. Gopalakrishna Samy
2. M. Mahalingam
3. R. Paramasivam
4. T. Kamatchi
5. M. Velliangiri
6. V. Kurinji Vendan
7. K. Amanalingam
8. R. Natarajan
9. M. Muthu Pandi
10. D.R. Subramani
11. M. Boopathy

... 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 Petition filed under Article 226 of the Constitution of India praying to issue a Writ or Order or Direction or any other appropriate order in the nature of 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 W.P. No. 15726 of 2015 dated 27.04.2016 and in the light of the proceedings of the second respondent dated 10.10.2014 considering the representation dated 15.11.2018 of the petitioners with the time limit to be stipulated by this Hon'ble Court.

For Petitioners: Mr. Sellapandian for Mr.S.Mani

For Respondents: Mr. K.J. Sivakumar
Additional Government Pleader.

ORDER

This Writ Petition has been filed for the issue of 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.

2. The case of the petitioners is that they joined as Plot watchers between the years 1982 and 1985. The service of the petitioners was regularised in the cadre of Forest Watcher in the year 1995. The juniors of the petitioners were given further promotion to the post of Forest Guard in the year 2004. However, the service of the petitioners were regularised in the cadre of Forest Watchers between the year 2003 and 2010. The petitioners wanted the regularisation of service in the cadre of Forest Watcher on par with their juniors. The petitioners, therefore, filed Writ Petition Nos.701/2012, 25675/2013, 31310/2012, 25675/2013, 112878/2017, 31319/2012, 3041/2014, 31319/2012, 41096/2015 and 4025/2018 before this Court and this Court passed an order directing the respondents to consider regularisation of the petitioners on par with their juniors. Pursuant to the orders passed by this Court, the first respondent passed orders regularising the service of the petitioner notionally in the cadre of Forest Watcher on par with their Juniors. Consequential orders were passed by the second respondent.

3. The present grievance that has been expressed by the petitioners is that when this regularisation was done on par with the juniors, the further promotion that was given to the petitioners as Forest Guard must also be done on par with the juniors by including the name of the petitioners in the concerned panel. Since the same was not done, the petitioners gave a representation on 15.11.2018. The same was not considered and, therefore, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr. Sellapandian, learned counsel for the petitioner and Mr. K.J. Sivakumar, learned counsel for the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this Writ Petition, there shall be a direction to the first respondent to consider the representation made by the petitioners on 15.11.2018 and pass appropriate orders strictly in accordance with law within a period of eight(8) weeks from the date of receipt of a copy of this order. The petitioners shall make a fresh representation to the first respondent along with a copy of the representation dated 15.11.2018 and a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

bga
To

1.The Secretary, Government of Tamil Nadu
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.

+lcc to Mr.S.Mani, Advocate SR.8339
+lcc to the Government Pleader SR.8736

W.P.NO.2608 of 2020

SV(CO)
CB(16/03/2020)

सत्यमेव जयते

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