

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3582 of 2020

1.M.Mani
2.M.Velayutham
3.R.Ramanathan
4.K.Selvam

...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 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 2016 dated 27.04.2016 and in the light of the proceedings of the 2nd respondent dated 10.10.2014 considering the representation dated 15.11.2019 of the petitioners with the time limit to be stipulated by this Court.

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

For Respondents : Mr.S.Prabhu
Government Advocate

O R D E R

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 1979 and 1986. 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 years 2003 and 2008. 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.12878/2017, 27598/2011, 1739/2012, 2963/2012 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 petitioners 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 15.11.2019. 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 appearing on behalf of the petitioners and Mr.S.Prabhu, learned Government Advocate appearing for the respondents.

5.Taking into consideration the facts and circumstances of the case and the limited relief that has 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 15.11.2019 and pass appropriate orders strictly in accordance with law, within a period of eight 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 15.11.2019 and a copy of this order.

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

Sd/-
Assistant Registrar(CS-VI)

// True Copy//

Sub Assistant Registrar

hvk

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.

+4cc to Mr.S.Mani, Advocate, SR.No.12090.
+1cc to Government Pleader, SR.No.13349.

सत्यमेव जयते

W.P.No.3582 of 2020

SPD(CO)
CSR: 17/03/2020

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