

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.4289 of 2020
and
W.M.P.No.5078 of 2020

1.K. Narayanan
2.M. Selvaraj
3.I. Ramraj
4.S. Balan
5.P. Raju

... Petitioners

Vs.

1. The 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 for the issuance 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 2016 dated 27.04.2016 and in the light of the proceedings of the second respondent dated 10.10.2014 considering the representation dated 18.12.2019 of the petitioners with the time limit to be stipulated by this Court.

For Petitioners : Mr. Sellapandian

For Respondents : Mr. M. Elumalai,
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 1978 and 1984. 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 2011. 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.22784/2014, 1009/2014, 22760/2014, 22784/2014 and 41092/2015 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 18.12.2019. 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 for the petitioners and Mr. M. Elumalai, learned Government Advocate 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 18.12.2019 and pass appropriate orders strictly

in accordance with law within a period of eight weeks from the date of receipt of copy of this order. The petitioners shall make a fresh representation to the first respondent along with a copy of the representation dated 18.12.2019 and a copy of this order.

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

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

AT

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.

+5ccs to Mr.S.Mani, Advocate, S.R.No.14536

सत्यमेव जयते

W.P.No.4289 of 2020
and

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VBA (CO)
KKV/18/03/2020

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