

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.3439 of 2021

1. K.Ramu
2. G.Shanmugam
3. M.Raja

... 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 Forests,
Panagal Building,
Saidapet, Chennai 600 015.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondents to order notional promotion to the Petitioners as Forest Guard on par with their juniors by including their names in the panel drawn for the year 2003-2004 with effect from 31.05.2004 as per the order dated 10.07.2012 passed in W.P.No.17610 of 2014 filed by the Petitioners and in the light of the proceedings of the 2nd Respondent dated 10.10.2014 by considering the representation dated 05.06.2019 of the Petitioners within the time limit to be stipulated by this Court.

For Petitioners

: Mr.T.Sellapandian,
for Mr.S.Mani

For Respondents

: Mr.S.Prabhu,
Additional Government Pleader

O R D E R

Petitioners have come up with this Writ Petition seeking a direction to the Respondents to order notional promotion to them as Forest Guard on par with their juniors by including their names in the panel drawn for the year 2003-2004 with effect from 31.05.2004 as per the order dated 10.07.2012 passed in W.P.No.17610 of 2014 filed by them and in the light of the proceedings of the 2nd Respondent dated 10.10.2014 by considering their representation dated 05.06.2019.

2. According to the Petitioners, their services were regularized with effect from 24.01.1995 in the cadre of Forest Watcher and their seniority was also re-fixed placing them over and above their juniors and they are entitled to next promotion to the post of Forest Guard on par with their juniors. However, the Respondents failed to confer notional promotion to the post of Forest Guard from 31.05.2004, the date on which their juniors were given notional promotion as Forest Guard including their names in the panel for the year 2003-2004. In respect of their grievance, Petitioners submitted a representation dated 05.06.2019 to the Respondents. As no orders are passed on such representation, Petitioners are before this Court with the above Writ Petition.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for by the Petitioners, this Court directs the 2nd Respondent herein to consider the representation dated 05.06.2019 made by the Petitioners and prepare a proposal strictly in accordance with law, within a period of six weeks from the date of receipt of a 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. Petitioners are also directed to send a fresh representation to the 2nd Respondent along with a copy of the earlier representation dated 05.06.2019, a copy of this order and all other necessary materials.

The Writ Petition is disposed of with the above direction.
No costs. Consequently, connected W.M.P.No.3937 of 2021 is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

(aeb)

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.

+3ccs to Mr.S.Mani, Advocate, S.R.No.9744.
+1cc to the Government Pleader, S.R.No.

PL(CO)
CSR 11/03/2021

W.P.No.3439 of 2021

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