



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.20465 of 2021

(Through Video Conferencing)

D.Sampath

... Petitioner

Vs

1.The Principal Chief Conservator of Forests,
Panagal Maaligai, Jeenis Road,
Saidapet, Chennai - 600 015.

2.The District Forest Officer,
Vellore District.

3.The Accountant General (A & E),
DMS Compound,
Theynampet, Chennai - 600 018.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second and third respondents to implement the first respondent proceedings No.AB2/9020/2017 dated 15.07.2017 get revised pension in the category of Forest Guard with effect from 19.07.2004 and all consequential monetary benefits by considering the representation dated 07.03.2019 and reminder dated 07.01.2020.

For Petitioner	: Mr.S.Mani
For Respondents	:
For R1 & R2	: Mr.L.S.M.Hasan Fizal Government Advocate
For R3	: Mr.Vijay Shankar

ORDER

Mr.L.S.M.Hasan Fizal, learned Government Advocate takes notice on behalf of the first and second respondents and Mr.Vijay Shankar, learned counsel takes notice on behalf of the third respondent.

2. The petitioner was appointed as a Plot Watcher in the year 1982. He was promoted as a Forest Watcher on 30.12.2006. Since the petitioner's juniors were promoted as Forest Watchers as early as 24.01.1995 and thereafter as Forest Guards on 31.05.2004, thereafter the petitioner filed



W.P.No.17610 of 2012 before this Court. The said writ petition was allowed on 10.07.2012. Meanwhile, the petitioner was also promoted as a Forest Guard on 17.02.2014.

3. By an order dated 15.07.2017, the first respondent fixed the notional pay of the petitioner with effect from 19.07.2004.

4. The petitioner has retired from service. The petitioner has sent two representations to the second and third respondents on 07.03.2019 and 07.01.2020 which have not evoked any positive response from the second and third respondents. The second and third respondents have however not given effect to the promotion which calculating pension even though the petitioner has been retrospectively promoted with effect from 19.07.2004.

5. Considering the fact that the petitioner is aged about 62 years and retired from service, this Court is inclined to direct the second and third respondents to implement the promotion order dated 15.07.2017 of the first respondent within a period of twelve weeks from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of with the above observations. No costs.

Sd/-

Asst. Registrar

//True Copy//

Sub Asst. Registrar

arb

To

1.The Principal Chief Conservator of Forests,
Panagal Maaligai, Jeenis Road,
Saidapet, Chennai - 600 015.

2.The District Forest Officer,
Vellore District.

3.The Accountant General (A & E),
DMS Compound,
Theynapet, Chennai - 600 018.

+1 C.C.to MR.S.MANI, ADVOCATE, SR.NO.49583/2021

+1 C.C.to SPECIAL GOVERNMENT PLEADER, SR.NO.49868/2021

W.P.No.20465 of 2021

PM(CO)

RA 20/10/2021



WEB COPY