



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 15.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.24793 of 2019
and
W.M.P.No.24427 of 2019

R.Deiva Sarma

...Petitioner

Vs

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Environment and Forest Department,
Secretariat, Fort St.George, Chennai-600 009.
2. The Principal Chief Conservator of Forests,
Panagal Maligai, Saidapet, Chennai-600 015.
3. The District Forest officer,
Thruvallur Division,
Thiruvallur.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner for promotion to the post of Assistant Conservator of Forest as per the circular issued by the Principal Chief Conservator of Forest in Ref:No.AA1/22400/2019 dated 12.07.2019.

For Petitioner : Mr.M.G.Swamy

For Respondents: Mr.K.Tippu Sulthan,
Government Advocate

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The grievance of the petitioner is that his candidature has not been considered for promotion to the post of Assistant Conservator of Forest in accordance with the Circular issued by the second respondent herein dated 12.07.2019.

3. The issue as to whether the petitioner is entitled for



promotion to the aforesaid post is based on several factual aspects and this Court may not be justified in stepping into the shoes of the authorities, for the purpose of directing them to promote the petitioner. However, if the petitioner is granted liberty to make a fresh representation to the first respondent seeking for such promotion with a consequential direction to the first respondent for consideration of the same within a stipulated time, the ends of justice could be secured.

4. In the light of the above observations, the petitioner herein is granted liberty to make a fresh representation to the first respondent ventilating his grievances and on receipt of the same, the first respondent shall consider the same on its own merits and pass appropriate orders in accordance with law, within a period of 12 weeks from the date of receipt of the representation.

5. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sbn

To

1. The Secretary to Government
The Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Fort St.George, Chennai-600 009.
2. The Principal Chief Conservator of Forests,
Panagal Maligai, Saidapet, Chennai-600 015.
3. The District Forest officer,
Thruvallur Division, Thiruvallur.

+2cc to Mr.M.C.Swamy, Advocate, S.R.No.33449 (14/09/2021)
+1cc to the Special Government Pleader, S.R.No.34396

W.P.No.24793 of 2019 and
W.M.P.No.24427 of 2019

UM(CO)
RGA(23/08/2021)