



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.11.2021

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. (MD) .No.4603 of 2018

WEB COPY

R.Shanmugasundaram

... Petitioner

vs.

1. The Principal Chief Conservator of Forest,
(Head of the Department),
Panagal Maligai,
Saidapet,
Chennai 600 015.

2. The District Forest Officer,
Theni Division,
Theni District.

... Respondents

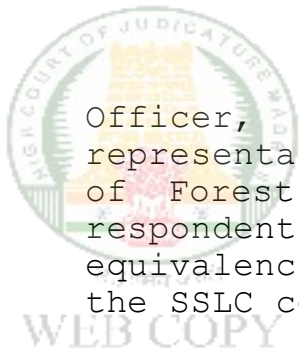
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to give notional promotion to the petitioner in the post of Forest Range Officer, as per the equivalency certificate issued by the Deputy High Commission for the Democratic Socialist Republic of Sri Lanka in Southern India, dated 18.04.2017 with reference to N.C.G.E. (National Certificate for General Education) obtained for the equivalency for S.S.L.C (Secondary School Leaving Certificate) Certificate of Government of Tamil Nadu with consequential promotion and other service benefits.

For Petitioner	: Mr.F.Deepak
For Respondents	: Mr.K.S.Selvaganesan Additional Government Pleader

O R D E R

The petitioner had joined the services of the Forest Department as a Watcher on 08.04.1982. His academic credentials were certified by the National Certificate of General Education (NCGE). According to the petitioner, this certification is equivalent to the Secondary School Leaving Certificate (SSLC) issued in the State of Tamil Nadu.

2. The petitioner's appointment was regularised and he was promoted through the ranks. However, for the year 2015 - 2016, ~~he was recommended for promotion to the post of Forest Range~~



Officer, his name was held over in the final panel. A representation was made by him to the Principal Chief Conservator of Forest in response to which, R1 had directed the second respondent ie., the District Forest Officer, to obtain an equivalency certificate issued by the Government of Sri Lanka for the SSLC certificate issued by the State of Tamil Nadu.

3. The petitioner has obtained such certification from the Deputy High Commissioner for the Republic of Sri Lanka in Southern India to the effect that the two certifications as aforesaid are equivalent. However, since the inclusion of the petitioner's name in the panel was still hanging fire, he has approached this Court by way of the present writ petition. In a counter filed by the second respondent, the only objection raised is that the petitioner has not produced the mark sheet to substantiate his passing the NCGE Course.

4. The learned Additional Government Prosecutor also places on record proceedings in Na.Ka.No.686/2017 dated 30.03.2017, wherein the High Commissioner of Sri Lanka has confirmed the equivalency of the NGCE Course to SSLC Course.

5. It is surprising that despite the aforesaid confirmation having been obtained, the request of the petitioner still remains unprocessed. Since the respondents seek proof to the effect that the petitioner has in fact studied and completed the NGCE Course, let the petitioner circulate the relevant mark sheet or other conclusive proof in this regard, to the respondent, upon receipt of which, the request of the petitioner for inclusion in the panel for 2015 - 2016 shall be considered favourably with all consequential benefits computed and paid over to him. Let the aforesaid exercise be completed within a period of twelve weeks from the date of receipt of the documents from the petitioner. This Writ Petition is disposed as above. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

akv

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1. The Principal Chief Conservator of Forest,
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2. The District Forest Officer,
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Theni District.

+1 C.C. to Mr.F.Deepak, Advocate (S.R.35129(F), Dated 19.11.2021).

+1 C.C. to Special Government Pleader, S.R.No.35163.

W.P. (MD) No.4603 of 2018

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