



WEB COPY



W.P. No.28150 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 26.10.2022

CORAM:

**THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE**

**W.P. No.28150 of 2022**

S. Rajendran

... Petitioner

Vs.

1. The Principal Chief Conservator of Forests,  
Panagal Buildings,  
Saidapet,  
Chennai – 600 015.

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

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to promote the petitioner as Forest Guard for the year 2014-15 on par with the petitioner's juniors and consequentially grant all service and monetary benefits due to the petitioner.

For petitioner : Ms.T. Dharani

For respondents : Mr.T. Seenivasan,  
Spl. Govt. Pleader

**ORDER**

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.



W.P. No.28150 of 2022

2. Mr.T. Seenivasan, learned Special Government Pleader accepts notice for the respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to promote the petitioner as Forest Guard for the year 2014-15 on par with the petitioner's juniors and consequently grant all service and monetary benefits due to the petitioner, within a time frame to be fixed by this Court.

4. The petitioner claims that due to pendency of a charge memo against him, the respondents did not grant him promotion as a Forest Guard along with his juniors for the year 2014-15. According to the petitioner, the charges framed against the petitioner have now been dropped and therefore, he is now entitled for the notional promotion for the year 2014, along with his juniors. He has given a representation to the respondents requesting them to promote him as a Forest Guard for the year 2014-15 on par with his juniors as the charges framed against him have now been dropped. Since the representation has not been considered, till date, he has filed this writ petition.

5. Heard Ms.T.Dharani, learned counsel for the petitioner and Mr.T. Seenivasan, learned Special Government Pleader for the respondents.



W.P. No.28150 of 2022

6. Since the representation filed along with this writ petition does not contain an acknowledgment card, the petitioner will have to give a fresh representation for the aforementioned purpose. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

7. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the 1<sup>st</sup> respondent seeking for notionally promoting him as a Forest Guard for the year 2014-15 along with his juniors on account of the fact that the charges against him have now been dropped, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the 1<sup>st</sup> respondent shall pass final orders on merits and in accordance with law, within a period of twelve weeks thereafter.

8. With the aforesaid direction, this writ petition is disposed of.  
No costs.

**26.10.2022**

Index: Yes/No  
Internet: Yes/No  
Speaking Order/Non-Speaking Order  
vsi2



WEB COPY



W.P. No.28150 of 2022

**ABDUL QUDDHOSE, J.**

vsi2

To :

1. The Principal Chief Conservator of Forests,  
Panagal Buildings,  
Saidapet,  
Chennai – 600 015.

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

**W.P. No.28150 of 2022**

26.10.2022