



W.P.No.31166 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.11.2022

Coram:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.31166 of 2022
and
W.M.P.No.30597 of 2022
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1. K.Sambandam
2. M.Gopala Krishnan
3. S.Peter
4. R.Chinnaraj
5. P.Subramani

.. Petitioners

Vs.

1. Government of Tamilnadu,
Rep. by its Secretary,
Environment and Forest Department,
Fort St.George, Chennai-600 009.
2. The Principal Chief Conservator of Forests,
Panagal Maaligai,
Jeenis Road, Saidapet,
Chennai-015.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to consider the notional promotion of the petitioners as Forest Guard for the purpose of getting revised pension on par with juniors by including their names in the panel drawn for the year 2003-2004 with effect from 17.06.2004 by considering representation dated 09.05.2022 within the time limit to be stipulated by this



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Court.

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For petitioner : Mr.S.Mani

For respondents: Dr.T.Seenivasan, Spl.G.P.

ORDER

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

2. Dr.T.Seenivasan, learned Special Government Pleader accepts notice on behalf of the respondents.

3. This Writ Petition has been filed for a Mandamus to direct the respondents to consider the notional promotion of the petitioners as Forest Guard for the purpose of getting revised pension on par with their juniors by including their names in the panel drawn for the year 2003-2004 with effect from 17.06.2004, based on the petitioner's representation dated 09.05.2022 within the time limit to be stipulated by this Court.

4. According to the petitioners, identically placed persons were granted notional promotion pursuant to the orders passed by this Court in W.P.No.27350

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of 2022, dated 17.10.2022. According to them, if notional promotion is granted, they will be getting enhanced pension. In such circumstances, they have given a representation on 09.05.2022 to the respondents. Since the representation has not been considered, till date, they have filed this Writ Petition.

5. Heard Mr.S.Mani, learned counsel for the petitioners and Dr.T.Seenivasan, learned Special Government Pleader appearing for the respondents.

6. No prejudice would be caused to the respondents, if the petitioner's representation as stated supra, is considered on merits and in accordance with law, in the light of the aforementioned orders subject to its applicability.

7. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representation, dated 09.05.2022 seeking for grant of notional promotion as Forest Guard for the purpose of getting revised pension on par with their juniors by including their names in the panel drawn for the year 2003-2004 with effect from 31.05.2004. While considering the petitioner's representation, the first respondent is directed to give due consideration to the orders dated 17.10.2022 in W.P.No.27350 of 2022 and decide whether the same is applicable to the case of the petitioners or not. The

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first respondent is directed to pass final orders, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, this Writ Petition is disposed of. There shall be no order as to costs.

9. As far as W.M.P.No.30597 of 2022 filed in this Writ Petition seeking to file single Writ Petition by joining together, is concerned, the same is ordered on condition that each of the petitioners shall pay their separate Court fees, if not paid already.

22.11.2022

Speaking Order: Yes/no

CS



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To

1. Government of Tamilnadu,
Rep. by its Secretary,
Environment and Forest Department,
Fort St.George, Chennai-600 009.
2. The Principal Chief Conservator of Forests,
Panagal Maaligai,
Jeenis Road, Saidapet, Chennai-015.



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