



W.P.No.17708 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.17708 of 2017

S.Subburaj

...Petitioner

Vs.

1.The Principal Chief Conservator of Forests,
(Head of Forest Force)
Panagal Building, No.1, JeenisSalai,
Saidapet, Chennai- 600 015.

2.The Chief Conservator of Forests &
Field Director, Anamlai Tiger Reserve,
Pollachi, Coimbatore District.

3.The District Forest Officer &
Deputy Director, Anamalai Tiger Reserve,
Tirupur Division, Udumalpet,
Tirupur District.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to orders in (1) Pro.No.BB1/ 30845/ 2014 dated 09.03.2015 of the first Respondent (2) Pro.No.11310/ 2013/ Pa.1 dated 29.10.2013 of the second Respondent and (3) Pro. No.3451/ 2010/ Pa dated 20.07.2012 of the third



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Respondent, to quash the same and to issue consequential direction to the respondents include the name of the Petitioner in the panel for 2014-15 for Promotion as Forest Ranger at the appropriate place and to promote the petitioner as such with retrospective effect from the date of promotion of his immediate junior with consequential benefits.

For Petitioner : Mr.J.Ravi
For M/s.M.Ravi

For R1 to R3 : Mr.K.H.Ravikumar
Government Advocate

ORDER

The grievances of the writ petitioner is that his name was not included in the panel of the year 2014-15 for promotion to the post of Forest Ranger.

2. The learned Government Advocate appearing on behalf of the respondents brought to the notice of this Court that during the relevant point of time, when the panel of the year 2014-15 was published, the petitioner suffered currency of punishment of stoppage of increment for one year without cumulative effect. The crucial date was 15.08.2014. On the said crucial date, the currency of punishment was in force and thus, the name of the writ petitioner was passed over in the panel of the year 2014-15.



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3. However, after expiry of the currency period, the name of the writ petitioner was considered for promotion to the post of Forest Ranger in the panel of the year 2015-16 and accordingly, he was promoted and joined as Forest Ranger on 14.08.2016.

4. Thus, this Court do not find any infirmity in respect of the action taken by the respondents, deferring the name of the writ petitioner for promotion to the post of Forest Ranger in the panel of the year 2014-15. An employee, who was suffering currency of punishment is not entitled for promotion to the higher post.

5. In the present case, on expiry of the period of currency, the petitioner was promoted and thus, there is no infirmity and accordingly, the writ petition stands dismissed. No costs.

13.10.2022

Index : Yes
Speaking order: Yes
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To

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S.M.SUBRAMANIAM, J.

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