



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.18394 of 2021

and

W.M.P.(MD) Nos.15188 & 15189 of 2021

WEB COPY

R.Ranjitha

... Petitioner

-vs-

The Principal Chief Conservator of Forests,
Head of the Department,
Panagal Maaligai,
Saidapet,
Chennai-600 015.

... Respondent

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the impugned order in Na.Ka.No.mM/1/14825/2017 dated 04.03.2020 on the file of the respondent and quash the same and further directing the Respondent to pay the arrears of the periodical increment from the date of joining i.e on 01.06.2017 till today.

For Petitioner : Mr.G.Prabhu Rajadurai
For Respondent : Mr.M.Ramesh,
Government Advocate

O R D E R

The order impugned dated 04.03.2020 declining the benefit of annual increment and declaration of probation on account of the pendency of three writ petitions in W.P.(MD) Nos.1942, 3411 and 7480 of 2017 is under challenge in the present writ petition.

2.The petitioner was recruited for appointment to the post of Forester by the Tamil Nadu Forest Uniformed Services Recruitment Committee and was appointed and now working.

3.The grievance of the writ petitioner is that probation is yet to be declared and the annual increments are not granted due to the pendency of the above three writ petitions.

4.The learned counsel for the writ petitioner mainly contended that those writ petitions are no way connected with the selection of the writ petitioner on merits by the Recruitment Board.



This apart, the petitioner is ready and willing to give an undertaking that in the event of any order passed in the pending writ petitions, she will abide by the same and therefore, the annual increments and other benefits are to be extended.

5.The learned Government Advocate appearing for the respondents made a submission that this Court passed an interim order stating that the selection and appointment made is subject to the result of the writ petitions. Therefore, the benefits are yet to be granted.

6.This Court is of the considered opinion that in such circumstances, eligible benefits may be granted subject to the final orders passed in the above three writ petitions. If at all any order affecting the selection is passed, then the said order granting benefits may be reconsidered for passing fresh orders. Contrarily, the benefits due to the petitioner need not be denied for an indefinite period, as the petitioner is no way connected with the process of selection in respect of the other candidates, who all are the petitioners in the above three writ petitions.

7.As far as probation is concerned, the authorities competent are bound to follow the rules. Declaration of probation is to be made in accordance with the rules. The satisfactory services and other requirements as contemplated under the rules are to be adhered to for the purpose of declaration of probation. However, annual increments and other benefits are to be granted subject to the final orders to be passed in the above pending writ petitions. Under these circumstances, the respondents are directed to consider the case of the writ petitioner for grant of annual increments and other benefits due to the petitioner in accordance with the rules. Regarding declaration of probation, all requirements contemplated under the rules are to be followed and declaration of probation or extension of probation is to be considered based on the rules in force.

8.With the above observations and directions, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

/TRUE COPY/

/ /2022

Sub Assistant Registrar(CS)

abr



To

The Principal Chief Conservator of Forests,
Head of the Department,
Panagal Maaligai,
Saidapet, Chennai-600 015.

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-13418[F] dated
22/03/2022)

+1 CC to M/s.SPL GP (SR-13530[F] dated 22/03/2022)

W.P.(MD) No.18394 of 2021
21.03.2022

MK/28.03.2022/3P/4C