



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

**DATED : 08.02.2023**

**CORAM**

**THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH**

**W.P No.3387 of 2023**

1.V.Harikrishnan  
2.M.Arivazhagan  
3.B.Madiyan  
4.V.Rajendran

Petitioners

vs.

1.Government of Tamil Nadu,  
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 – 15.

Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the notional promotion to the petitioners as Forest Guard for purpose of getting revised pension or par with Juniors by including their name in the panel drawn for the year 2003 - 2004 with effect from 31.5.2004 in the light of order passed by High Court in WP No. 35281 of 2019 dated 20.12.2019 and WP No.27350 of 2022 dated 17.10.2022 by considering the representation dated 11.07.2022 within time limit to be stipulated by this Court.



For Petitioners : Mr.Chellapandian for S.Mani  
For Respondents : Mrs.R.Vijaya Devi  
Government Advocate

### **ORDER**

This writ petition has been filed for issue of writ of mandamus directing the respondents to consider the notional promotion of the petitioners as Forest Guard for the purpose of getting the revised pension on par with the juniors, in line with similar orders passed in earlier writ petitions, by considering the representation made by the petitioners on 11.07.2022.

2.The case of the petitioners is that they joined as Plot Watchers on daily wage basis in the year 1979 and their names were included in the State wide seniority list in the year 1994. The services of the juniors of the petitioners were regularized in the cadre of Forest Watchers in the year 1995. Whereas, in the case of the petitioners, it was regularized only in the year 2003.

3.The petitioners filed W.P.No.22764 of 2014 and W.P.No.302 of 2012, questioning the same and these writ petitions were allowed with a direction to regularize the service of the petitioners in the cadre of Forest Watcher on par with their juniors w.e.f. 24.01.1995. Subsequently, the petitioners were also further promoted to the post of Forest Guards in the year 2008.



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4.The petitioners made a representation seeking for further promotion as Forest Guard on par with their juniors by including their name in the panel for the year 2003-2004 and to promote them as Forest Guard from the year 31.05.2004. Since the representation was not considered, the present writ petition has been filed before this Court.

5.Heard Mr.Chellapandian, learned counsel appearing on behalf of the petitioners and Mrs.R.Vijaya Devi, learned Government Advocate appearing on behalf of the respondents.

6.In the considered view of this Court, similar orders have already been passed by this Court in W.P.Nso.35281 of 2019 and 27350 of 2022 and hence, this writ petition can also be disposed of in the light of those orders.

7.In the result, this writ petition is disposed of with a direction to the respondents to consider the representation made by the petitioners on 11.07.2022 and deal with the same on its own merits and in accordance with law and in line with the earlier orders passed by this Court and a final decision shall be taken, within a period of eight weeks from the date of receipt of copy



**N. ANAND VENKATESH, J.**

SSR

of this order. The petitioners are directed to make a fresh representation to the respondents along with all the relevant documents and also a copy of this order.

8.This writ petition is disposed of with the above direction. No Costs.

**08.02.2023**

Index : Yes/No  
Internet : Yes/No  
Speaking Order/Non-Speaking Order  
Neutral Citation Case : Yes/No  
SSR

To

- 1.The Secretary,  
Environment and Forest Department,  
Fort St. George, Chennai – 600 009.
- 2.The Principal Chief Conservator of Forests,  
Panagal Maaligai, Jeenis Road,  
Saidapet,  
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