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W.P.No.6274 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2023

CORAM

THE HONOURABLE MR. JUSTICE Dr.D.NAGARJUN

W.P.No.6274 of 2015

R.Ramamoorthy

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Environment & Forest Department,
Fort St. George, Chennai-9.

2. The Principal Chief
Conservator of Forests,
Panagal Buildings, Saidapet,
Chennai-15.

... Respondents

Prayer:- 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 representation dated 2/12/2014 to promote the petitioner to the post of Forest Watcher by applying the provisions, on the date on which the petitioner's juniors were promoted and with all monetary and service benefits.



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For Petitioner : No Appearance

For Respondents : M/s.C.Sangamithrai,
Special Government Pleader

ORDER

This writ petition is filed seeking direction for the respondents to consider the representation dated 2/12/2014 to promote the petitioner to the post of Forest Watcher by applying the provisions, on the date on which the petitioner's juniors were promoted and with all monetary and service benefits.

2. There is no appearance on behalf of the petitioner where as the the learned counsel for Respondents is present. Earlier on 30.10.2023, when the matter came up for hearing, then also none appeared for the petitioner and the matter was directed to be listed on 31.10.2023 under the caption “For Orders”.

3. The Affidavit filed on behalf of the petitioner would show that the petitioner was appointed as a Garden Watcher on 07.08.2009 under the



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Social Forestry Division, at Thirunelveli and his state level seniority list number was 4962. It is also mentioned in the Affidavit filed that his Juniors were promoted to the post of Forest Watcher by the second respondent Department, however, the petitioner was ignored for granting promotion without any valid reason. It is further stated that the petitioner filed a representation before the second respondent Authority on 02.12.2014 along with the fitness certificate with a request to promote him to the post of Forest Watcher. However, the said applications is kept pending without any proceedings, thereby, sought for a direction to the second respondent to dispose of the said representation.

4. Learned counsel for the respondent submits that the petitioner is only a temporary employee and his services are not regularised and unless the services are regularised, the petitioner cannot be promoted to the post of Forest Watcher.

5. The second respondent should have disposed of the representation of the petitioner dated 02.12.2014 explaining the reasons as to why he cannot be promoted to the post of Forest Watcher. Hence, second respondent Department is directed to dispose of the representation of the



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petitioner dated 02.12.2014 as quickly as possible, preferably within a period of (4) weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands **disposed of**. However, there shall be no order as to costs.

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)

31.10.2023

To

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Environment & Forest Department,
Fort St. George, Chennai-9.

2. The Principal Chief
Conservator of Forests,
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Dr.D.NAGARJUN. J.,

(sha)

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