



W.P.No.22731 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.22731 of 2018

R. Indira Gandhi

... Petitioner

Vs.

1.Government of Tamil Nadu,
Rep. by its Principal Secretary,
Department of Environment & Forest,
Secretariat,
Chennai – 600 009.

2.The Principal Chief Conservator of Forests
(Head of the Department)
Panagal Maaligai,
Saidapet, Chennai – 600 015.

3.The District Forest Officer,
Chengalpattu Division,
Kanchipuram – 631 501.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to provide promotion to the petitioner as Forester with effect from 2007 and further promotion as Forest Ranger with all consequential and attendant benefits.



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For Petitioner : Mr.T. Dharani

For Respondents : Mr.K.H. Ravi Kumar
Government Advocate

ORDER

The petitioner herein seeks for notional promotion to the post of Forester with effect from 2007 and further promotion as Forest Ranger with all consequential and attendant benefits.

2. As per Rule 5 of the Tamil Nadu Forest Subordinate Service, one of the qualifications for promotion to the post of Forester is that Forest Guard ought to have completed a Course of training for Forest Guard in Tamil Nadu Forestry Training College, Vaigai Dam. Admittedly, the petitioner herein had not completed this training. In spite of that, the Principal Chief Conservator of Forests had made favourable recommendations on 09.11.2016 to consider the petitioner as a special case, if deemed fit for promotion.

3. Today when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents produced a copy of



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the proceedings of the Principal Chief Conservator of Forests dated 22.02.2018, in which, a reference has been made to the Government Letter dated 20.02.2017, whereby their proposal was rejected.

4. Thus, if the petitioner is of the view that the special qualifications required for promotion requires to be relaxed by the Government, the appropriate remedy would be to challenge the order of the Government Letter dated 20.02.2017, as well as the consequential proceedings of the Principal Chief Conservator of Forests dated 22.02.2018.

5. The learned counsel for the petitioner would submit that the proceedings of the Principal Chief Conservator of Forests dated 22.08.2018 has not been served on the petitioner, which is disputed by the learned Government Advocate.

6. This Court does not intend to go into the disputed facts as to whether the order was served on the petitioner or not. Since the Principal Chief Conservator of Forests himself has made favourable recommendations, this Court is of the view that liberty would be granted



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to challenge the present order dated 22.02.2018.

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7. Accordingly, the petitioner is at liberty to challenge the order of the Government Letter dated 20.02.2017, as well as the proceedings of the Principal Chief Conservator of Forests dated 22.02.2018, in accordance with law. In view of the passing of the aforesaid two orders, no effective orders can be passed to the prayer sought for in the present Writ Petition. Hence, the Writ Petition stands closed. No costs.

12.01.2023

Speaking/Non-speaking Order

Neutral Citation: Yes/No

Index: Yes/No

Internet: Yes/No

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To
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- 1.Principal Secretary ,
Government of Tamil Nadu,
Department of Environment & Forest,
Secretariat, Chennai – 600 009.
- 2.The Principal Chief Conservator of Forests
(Head of the Department)
Panagal Maaligai,
Saidapet, Chennai – 600 015.
- 3.The District Forest Officer,
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M.S.RAMESH,J.

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