



W.P.No.26829 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

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1. G.Thiruvankadam
2. M.Murugan
3. G.Boobalan
4. V.Perumal
5. K.Govindan
6. K.Elumalai
7. K.Munusamy
8. S.Sivanesan
9. P.Ramamurthy
10. K.Balaraman

... Petitioners

Vs

1. The State of Tamil Nadu
Rep. by its Secretary to Government,
Environment, Climate Change and Forest Department,
Fort St. George, Chennai – 9.
2. The The Prinicipal Chief Conservator of Forest
& Head of Forest Force,
Forest Headquarters, Velachery Main Road,
Guindy, Chennai – 600 032.

... Respondents



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Prayer:- Writ Petition filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus for direction to the respondents to consider the petitioners notional promotion as Forest Guard on par with their respective juniors by including their names in the panel drawn for the year 2003-2004 with effect from 31.05.2004 in the light of the order passed in W.P. No.3463 of 2021 dated 18.02.2021 and in the light of the proceedings of the first respondent in Letter No.4077/FR.2(i)/ 2022-1 dated 19.03.2022 by considering the petitioners representations dated 27.11.2021 and 29.03.2023 within the time frame fixed by this Court.

For petitioners : Ms.K.Jenitha

For Respondents : Mr.R.Neelakandan,
Additional Advocate General
Asst. by Mr.S.Arumugham
Government Advocate

ORDER

This Writ Petition has been filed to direct the respondents to consider the petitioners notional promotion as Forest Guard on par with their respective juniors by including their names in the panel drawn for the year 2003-2004 with effect from 31.05.2004 in the light of the order passed in W.P. No.3463 of 2021 dated 18.02.2021 and in the light of the



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proceedings of the first respondent in Letter No.4077/FR.2(i)/ 2022-1 dated 19.03.2022 by considering the petitioners representations dated 27.11.2021 and 29.03.2023 within the time frame fixed by this Court.

2. According to the petitioners, their services were regularized with effect from 24.01.1995 in the cadre of Forest Watcher and their seniority was also re-fixed placing them over and above their juniors and they are entitled to next promotion to the post of Forest Guard on par with their juniors. However, the respondents failed to confer notional promotion to the post of Forest Guard from 31.05.2004, the date on which their juniors were given notional promotion as Forest Guard including their names in the panel for the year 2003-2004. In this regard, the petitioners have submitted representations dated 27.11.2021 and 29.03.2023 to the respondents. However, the same have not been considered by them. Hence, present Writ Petition.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. Taking into consideration the facts and circumstances of the case



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and also the limited relief that has been sought for by the Petitioners, this Court directs the second Respondent herein to consider the representations dated 27.11.2021 and 29.03.2023 made by the petitioners and prepare a proposal, strictly in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and submit the same to the first Respondent and the first Respondent shall pass appropriate orders within a period of six weeks, thereafter. The petitioners are also directed to send a fresh representation to the second Respondent along with a copy of the earlier representations dated 27.11.2021 and 29.03.2023, a copy of this order and all other necessary materials.

5. With the above directions, this Writ Petition is disposed of. No costs.

14.09.2023

Index:Yes/No
Neutral Citation : Yes/No
vrc
To,



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WEB COPY

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Environment, Climate Change and Forest Department,
Fort St. George, Chennai – 9.
2. The The Prinicipal Chief Conservator of Forest
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N.SATHISH KUMAR, J.

VTC

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