



WEB COPY



W.P.No.30632 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30632 of 2023
and
W.M.P.No.30284 of 2023

P.Jaishakar

...Petitioner

Vs

1.Union of India,
Represented by its Secretary,
Ministry of Environment, Forest
and Climate Change,
New Delhi.

2.The Secretary,
National Biodiversity Authority,
CSIR Road, Taramani,
Chennai – 600 113.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to reconsider and amend the National Biodiversity Authority (Recruitment and Conditions of Service of Officers and other employees) Regulations, 2006, specifically to incorporate provision for promotion, especially for deserving candidates like the petitioner to the post of Technical Officer



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(Intellectual Property Right) from the post of Technical Assistant in the office of the National Biodiversity Authority, Chennai.

For Petitioner : Mr.A.V.Arun

For Respondents : Mr.A.Veeramani
Central Government Counsel

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in this Writ Petition is to reconsider and amend the National Biodiversity Authority (Recruitment and Conditions of Service of Officers and other employees) Regulations, 2006 to enable promotions for deserving candidates.

3. Though the petitioner had sought for amendment of the provisions, the learned counsel for the petitioner would submit that he would be satisfied if the petitioner is granted liberty to submit a fresh representation to the second respondent with a consequential direction to



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consider the same within a stipulated time.

4. In view of the submission made by the learned counsel for the petitioner, there shall be a direction to the petitioner herein to submit a fresh representation to the second respondent ventilating his grievances. On receipt of the same, the second respondent herein shall dispose of the same, after giving due opportunity to the petitioner, on its own merits and in accordance with law, within a period of three months from the date of receipt of the representation.

5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

30.10.2023

Index:Yes/No
Speaking order/Non-speaking order
hvk



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M.S.RAMESH,J.

hvk

To

1.The Secretary,
Union of India,
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