WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.356 of 2023
and
W.M.P.(MD)No.340 of 2023

Rajkumar ... Petitioner

Vs.

1. The Principal Chief Conservative of Forest,
   Forest Head Quarters,
   Velacherry Main Road,
   Guindy,
   Chennai.

2. The Additional Principal Chief of Conservative of Forests.
   Madurai Circle,
   Race Course Road,
   Madurai.

3. The Member,
   Tamil Nadu Forest Uniform Service Recruitment Committee,
   8th Down Floor Panagal Maaligai,
   Saithapet,
   Chennai – 600 016. ... Respondents

https://www.mhc.tn.gov.in/judis

WEB COPY

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 and 2 to promote the petitioner as Forest Guard from the date on which his junior was given promotion with all consequential benefits based on the petitioner's representation dated 23.12.2022.

For Petitioner	:	Mr.V.Panneer Selvam
For Respondents	:	Mr.A.Sivanu Pandian Government Advocate

O R D E R

This Writ Petition has been filed for a direction to the respondents 1 and 2 to promote the petitioner as Forest Guard from the date on which his junior was given promotion with all consequential benefits based on the petitioner's representation dated 23.12.2022.

2. The case of the petitioner is that the petitioner was appointed as Forest Watcher on 27.01.2020 and his probation period was completed on 30.05.2021. While so, one Bharathiselvan, who is junior to the petitioner, was given promotion to the post of Forest Guard on 16.12.2022. Therefore,

https://www.mhc.tn.gov.in/judis

WEB COPY

the petitioner is entitled for promotion from the date on which his junior was given promotion, i.e., with effect from 16.12.2022. Hence, he made a representation to the first respondent on 23.12.2022 to promote him as Forest Guard. But, till date, no order was passed. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the concerned respondent is directed to dispose of the representation of the petitioner, dated 23.12.2022, on merits and in accordance with law, within a specified period.

4. The learned Government Advocate appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the concerned respondent to consider the petitioner's representation, dated

https://www.mhc.tn.gov.in/judis

WEB COPY

23.12.2022 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

06.01.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

https://www.mhc.tn.gov.in/judis

WEB COPY

To

1. The Principal Chief Conservative of Forest,
   Forest Head Quarters,
   Velacherry Main Road,
   Guindy,
   Chennai.

2. The Additional Principal Chief of Conservative of Forests.
   Madurai Circle,
   Race Course Road,
   Madurai.

3. The Member,
   Tamil Nadu Forest Uniform Service Recruitment Committee,
   8th Down Floor Panagal Maaligai,
   Saithapet,
   Chennai – 600 106.

https://www.mhc.tn.gov.in/judis

WEB COPY

M.DHANDAPANI,J.

vji

W.P.(MD)No.356 of 2023
and
W.M.P.(MD)No.340 of 2023

06.01.2023

https://www.mhc.tn.gov.in/judis