



WEB COPY



W.P.No.5836 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.5836 of 2024

1. M.Duopathiammal
2. A.Dharmaraj

...Petitioners

-Vs-

1. Government of Tamil Nadu,
represented by its Additional Chief Secretary,
Environment and Forest Department,
Fort St.George,
Chennai-600009.

2. The Principal Chief Conservator of Forests,
(Head of Forest Force),
Velchery Main Road, Guindy,
Chennai-600032.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the notional promotion for purpose of getting enhanced revised pension to the petitioners as Forest Guard on par with juniors by including their name in the panel drawn for the year 2003 - 2004 with effect from 31.05.2004 in the light of order passed by our Honourable High Court in W.P.No.1229 of 2024 dated 23.01.2024 by considering the representation dated 06.11.2023 (1st petitioner) and



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12.10.2023 (2nd Petitioner) within time limit to be stipulated by this Honble Court.

For Petitioners : Mr.S.Mani

For Respondents : Dr.T.Seenivasan
Special Government Pleader

ORDER

This writ petition has been filed for direction directing the respondents to consider the notional promotion for purpose of getting enhanced revised pension to the petitioners as Forest Guard on par with juniors by including their name in the panel drawn for the year 2003 - 2004 with effect from 31.05.2004 in the light of order passed by our Honourable High Court in W.P.No.1229 of 2024 dated 23.01.2024 by considering the representation dated 06.11.2023 (1st petitioner) and 12.10.2023 (2nd Petitioner) within time limit to be stipulated by this Honble Court.

2. Heard the learned counsel on either side and perused the materials available on record.

3. According to the petitioners, identically placed persons were



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granted notional promotion pursuant to the orders passed by this Court in the aforementioned writ petitions. According to them, if notional promotion is granted, they will be getting enhanced pension. In such circumstances, they had given representations on 06.11.2023 and 12.10.2023 to the respondents. Since the representation has not been considered, till date, they have filed this writ petition.

4. No prejudice would be caused to the respondents, if the petitioners' representation as stated supra is considered on merits and in accordance with law, in the light of the aforementioned orders subject to its applicability.

5. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioners' representations dated 06.11.2023 and 12.10.2023 seeking grant of notional promotion as Forest Guard for the purpose of getting revised pension on par with their juniors by including their names in the panel drawn for the year 2003-2004 with effect from 31.05.2004. While considering the petitioners' representation, the first respondent is directed to give due consideration to the order



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dated 23.01.2024 in W.P.No. 1229 of 2024 and decide whether the same is applicable to the case of the petitioners or not. The first respondent is directed to pass final orders, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of.

There shall be no order as to costs.

07.03.2024
($\frac{1}{2}$)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
mn



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To

1. The Additional Chief Secretary,
Government of Tamil Nadu,
Environment and Forest Department,
Fort St.George,
Chennai-600009.
2. The Principal Chief Conservator of Forests,
(Head of Forest Force),
Velchery Main Road, Guindy,
Chennai-600032.

G.K.ILANTHIRAIYAN. J,

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