



W.P.No.19408 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2024

CORAM:

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

W.P.No.19408 of 2024

V.Chinnasamy

...Petitioner

-Vs-

1. Government of Tamil Nadu,
represented by its Additional Chief Secretary
to Government,
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 to the petitioner 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 and in the light of order passed by our honourable High Court in W.P.No.15726 of 2016 dated 28.04.2016 by considering the representation dated 10.01.2024 and order



W.P.No.19408 of 2024

in W.P.No.1229 of 2024 with dated 23.01.2024 in time limit to be stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Mani

For Respondents : Mr.S.Rajesh
Government Advocate

ORDER

This writ petition has been filed for direction directing the respondents to consider the notional promotion to the petitioner as forest Guard on par with juniors by including his name in the panel drawn for the year 2003-2004 with effect from 31.05.2004 and in the light of order passed by this Court in W.P.No.15726 of 2016 dated 28.04.2016 by considering the representation dated 10.01.2024 and order in W.P.No.1229 of 2024 with dated 23.01.2024 in time limit to be stipulated by this Hon'ble Court.

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

3. According to the petitioner, identically placed persons were



W.P.No.19408 of 2024

granted notional promotion pursuant to the orders passed by this Court in the aforementioned writ petitions. According to him, if notional promotion is granted, he will be getting enhanced pension. In such circumstances, he had given representation dated 10.01.2024 to the respondents. Since the representation has not been considered, till date, he has filed this writ petition.

4. No prejudice would be caused to the respondents, if the petitioner's 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 petitioner's representation dated 10.01.2024 seeking grant of notional promotion as Forest Guard for the purpose of getting revised pension on par with his juniors by including his name in the panel drawn for the year 2003-2004 with effect from 31.05.2004. While considering the petitioner's representation, the first respondent is



W.P.No.19408 of 2024

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directed to give due consideration to the order dated 23.01.2024 in W.P.No.1229 of 2024 and decide whether the same is applicable to the case of the petitioner 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.

12.07.2024
(1/5)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
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W.P.No.19408 of 2024

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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W.P.No.19408 of 2024

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W.P.No.19408 of 2024

12.07.2024