



W.P.No.21759 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2024

CORAM:

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

W.P.No.21759 of 2024

N.Pandi

... Petitioner

Vs.

1. Government of Tamilnadu,
Rep. By its Additional Chief Secretary to Government,
Environment and Forest Department,
Fort St.George, Chennai 600 009
2. The Principal Chief Conservator of Forests,
(Head of Forest Force),
Velachery Main Road, Guindy,
Chennai 600 032

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India to issue 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 for purpose of getting enhanced pension 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 03.04.2024 and order in W.P. No. 1229 of 2024 with dated 23.01.2024 in time limit to be stipulated by this Court.



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For Petitioner : Mr.S.Mani

For Respondents : Mr.C.Selvaraj,
Additional Government Pleader

ORDER

This writ petition has been filed for direction to 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 the order passed by this Court in WP.No.15726 of 2016 dated 28.04.2016 by considering the representation dated 03.04.2024 and the order passed in WP.No.1229 of 2024 dated 23.01.2024.

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

3. According to the petitioner, identically placed persons were 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



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circumstances, he had given representation dated 03.04.2024 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 representations dated 03.04.2024 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 directed to give due consideration to the order dated 14.10.2022 in W.P.No.27407 of 2022 and decide whether the same is applicable to the case of the petitioner or not. The first respondent is directed to pass final



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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.

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Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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To

1. Additional Chief Secretary to Government,
Government of Tamilnadu,
Environment and Forest Department,
Fort St. George, Chennai 600 009
2. The Principal Chief Conservator of Forests,
(Head of Forest Force),
Velachery Main Road, Guindy,
Chennai 600 032

G.K.ILANTHIRAIYAN, J.

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