



W.P.(MD)No.15530 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.15530 of 2024

S.Logasundaranathan

... Petitioner

vs.

1.The State of Tamilnadu,
Rep. by its Principal Secretary to Government,
Environment, Climate Change and Forests Department,
Chennai.

2.The Principle Chief Conservator of Forest,
Head of Forest Force, Guindy, Chennai - 32.

3.The Principal Chief Conservator of Forest,
Forest Administration,
Guindy, Chennai -32.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to promote the petitioner as Assistant Conservator of Forest from the date on which his junior was given promotion as per the panel 2016-2017 by complying the Clause (19) of Para II of the Schedule XI of the Tamil Nadu Government Servants (Conditions of Service) Act 2016 with all consequential and other attendant benefits.



W.P.(MD)No.15530 of 2024

For Petitioner : Mr.V.Panneer Selvam
For Respondents : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

Heard Mr.V.Panneer Selvam, learned counsel appearing for the petitioner and Mr.N.Ramesh Arumugam, learned Government Advocate appearing for the respondents.

2. The petitioner has filed this writ petition to direct the respondents to promote him as Assistant Conservator of Forest from the date on which his junior was given promotion as per the panel 2016-2017 by complying the Clause (19) of Para II of the Schedule XI of the Tamil Nadu Government Servants (Conditions of Service) Act 2016 with all consequential and other attendant benefits.

3. Mr.V.Panneer Selvam, learned counsel appearing for the petitioner submitted that the petitioner is entitled to be promoted as Assistant Conservator of Forest on and from 15.08.2015 as he had required eligibility. Even though the petitioner has been imposed with a



W.P.(MD)No.15530 of 2024

punishment of stoppage of increment on earlier occasion, the punishment has already been exhausted and there is no currency of punishment. It is his submission that the representations submitted by the petitioner in this regard on 22.09.2023 and 28.06.2024 to the respondents 2 and 3 are yet to be considered.

4. However, Mr.N.Ramesh Arumugam, learned Government Advocate appearing for the respondents submitted that the petitioner has been given with some other charges and in view of that, disciplinary proceedings are pending before the Tribunal for Disciplinary Proceedings, Nagercoil and as per the Rules, the petitioner cannot be given with promotion.

5. Whatever may be the case, the representations of the petitioner ought to have been considered on merits and it should be culminated into an order. Since the same has not been done, I feel it is appropriate to direct the third respondent to consider the representations of the petitioner.



W.P.(MD)No.15530 of 2024

WEB COPY

6. In view of the above observations, the writ petition is **disposed of** and the third respondent is directed to consider the representations of the petitioner dated 22.09.2023 and 28.06.2024 on merits and pass orders in accordance with law within a period of three weeks from the date of receipt of a copy of this order. No costs.

11.07.2024

NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

mbi

To

- 1.The Principal Secretary to Government,
Environment, Climate Change and Forests Department,
Chennai.
- 2.The Principle Chief Conservator of Forest,
Head of Forest Force, Guindy, Chennai - 32.
- 3.The Principal Chief Conservator of Forest,
Forest Administration,
Guindy, Chennai -32.



WEB COPY



W.P.(MD)No.15530 of 2024

R.N.MANJULA, J.

mbi

W.P.(MD)No.15530 of 2024

11.07.2024