



W.P.No.6420 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated: 24.03.2025

CORAM :

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

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1. A.Gunasekaran,
S/o.Appavu,
No.480, Mettu Theru, Thenvilapakkam,
Polur Taluk, Tiruvannamalai District.

2.S.Unnamalai,
No.1/231 Perumal Kovil Street,
Anniyur And Post,
Vikkiravandi Taluk, Villupuram District.

... Petitioners

vs.

1. The State of Tamil Nadu,
Rep By its Secretary To Government Environment,
Climate Change And Forest Department,
Fort St.George,
Chennai 9.

2.The Principal Chief Conservator of Forest and Head of Forest Force,
Forest Headquarters,
Velachery Main Road,
Guindy, Chennai 600032.

... Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, to Writ of Mandamus, direction to the respondents to consider the notional promotion of the petitioners as Forest Guard on par with the juniors by including



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their names in the panel drawn for the year 2003-2004 with effect from 31.05.2004 in the light of the order passed by our Hon'ble High Court in W.P.No.26829 of 2023 dated 14.09.2023 and Proc.No.AB2/27864/2023, dated 06.02.2024 by considering the petitioners representation dated 07.03.2022 and 09.08.2023.

For Petitioner : Ms.K.Jenitha

For Respondents : Mr.C.Selvaraj,
Additional Government Pleader,
for R1 & R2

ORDER

The writ petition has been filed in the nature of mandamus seeking a direction against the respondent to consider the grant of notional promotion to the petitioners as Forest Guards on par with juniors by including their names in the panel for the year 2003-2004 with effect from 31.05.2004.

2. In the affidavit filed in support of the writ petition, it had been contended that the petitioners had been initially appointed as Forest Watchers/Social Forestry workers on daily wages in the Forest Department on 01.09.1978 and 01.06.1983 respectively. Thereafter, the Government had passed



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G.O.Ms.No.332, Environment and Forest Department, dated 22.12.1994, by

imposing a condition that the candidates should have a qualification in S.S.L.C.

Thereafter, that was struck down by the Tamil Nadu Administrative Tribunal in O.A.No.197/1995. Thereafter, G.O.Ms.No.64, dated 08.03.1994, was issued only for the purpose of restoring qualifications and to prepare a Statewise seniority list. There were various issues which arose from that particular order and W.P.No.18791 of 2019 and W.P.No.25135 of 2017 had been filed. Once again Government Orders were passed and the services of the petitioners were regularised with effect from 24.01.1995 as Forest Watchers. They claim that they are entitled for the next promotion, on 31.05.2004 to the post of Forest Guard on par with their juniors.

3. The Learned Counsel for the petitioners states that this issue had been examined earlier by this Court and in W.P.No.26829 of 2022, by an order dated 14.09.2023, a learned Single Judge had directed the examination of the representation given by the petitioners therein.



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4. A direction is issued to the respondents to examine the representation given by the petitioner and if the petitioners are otherwise eligible, promote them as Forest Guards for the panel year 2003-2004, with effect from 31.05.2004. Necessary orders on the representation may be passed within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition stands disposed of. There shall be no order as to costs.

24.03.2025

Index: Yes/No.

Internet: Yes.

Neutral Citation : Yes/No.

bsm

To,

1. The Secretary To Government Environment,
State of Tamil Nadu,
Climate Change And Forest Department,
Fort St.George,
Chennai 9.

2. The Principal Chief Conservator of Forest and Head of Forest Force,
Forest Headquarters,
Velachery Main Road,
Guindy, Chennai 600032.

3. The Government Pleader, High Court, Madras.

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