



W.P.No.36686 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2025

CORAM:

THE HONOURABLE MR JUSTICE K.SURENDER

W.P.No. 36686 of 2016 and

WMP No. 23183 of 2022

1. A.Aaisha Begum

W/o.M.Mohamed Sulthan, Selection
Grade Draughting Officer,
O/o.Conservator of Forests,
Coimbatore.

Petitioner(s)

Vs

1. The Principal Secretary to
Government, Government of Tamil
Nadu, Environment and Forest
Department, Secretariat, Chennai-9.

2.The Principal Chief
Conservator of Forests, Panagal
Maaligai, Saidapet, Chennai-15.

3.The Conservator of Forests



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Coimbatore District, Coimbatore.

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Respondent(s)

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records connected with the impugned order passed by the 2nd respondent in Letter No.Na.Ka. No.S1/ 25162/2016 dated 2.9.2016 and quash the same and consequently direct the 2nd respondent to promote the petitioner to the post of Senior Draughting Officer by including her name in the panel for promotion to the Post of Senior Draughting Officer for the year 2014-2015.

For Petitioner : Mr.R.Rengamanujam

For Respondent(s): Mr.V.Veluchamy, AGP (F)

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus, to call for the records connected with the impugned order passed by the 2nd respondent in Letter No.Na.Ka. No.S1/ 25162/2016 dated 2.9.2016 and quash the same and consequently direct the 2nd respondent to promote the petitioner to the post of Senior Draughting Officer by including her name in the panel for promotion to the Post of



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Senior Draughting Officer for the year 2014-2015.

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2. The brief facts of the case of the petitioner is that she was appointed as Junior Draughting Officer in the year 1982 and promoted as Draughting Officer in the year 1997 and thereafter, on 15.08.2011, her name was included in the panel for promotion to the post of Senior Draughting Officer for the year 2011-2012. In the year 2012, when she was about to be promoted, she gave a letter dated 11.05.2012 relinquishing her promotion for a period of three years. According to the petitioner, the crucial date is 15.08.2011 and the three years period ends by 14.08.2014 and the petitioner is entitled to be considered for promotion by including her name in the panel for the year 2014-15, but her name was not included, which prompted the petitioner to make a representation dated 04.07.2016, which came to be rejected by the 2nd respondent, stating that the order of relinquishment was passed only on 13.09.2012 and thereby, the period of three years would



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expire only on 12.09.2015.

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3. The petitioner was fit for promotion to the post of Senior Draughting Officer by including her name in the promotion panel for the year 2011-12 for which, the crucial date is 15.08.2011. However, the petitioner gave relinquishment letter on 11.05.2012. As per Rule 47(2) of the Tamil Nadu and Subordinate Service Rules, three years period would count from the date of the petitioner's relinquishment letter, i.e. on 11.05.2012, which would end by 10.05.2015. It is pertinent to note that the crucial date for the panel for the year 2015-16 is 15.08.2015 and therefore, the petitioner is entitled to be included in the promotion panel for the year 2015-16. But the petitioner's name was not included in the panel for the year 2015-16 on the ground that since the order accepting the request of the petitioner for relinquishment was passed only on 13.09.2015 from which date, three years period would expire only on 12.09.2015 and in the mean



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time, the crucial date 15.08.2015 for the panel 2014-15 is over. The petitioner gave relinquishment letter on 11.05.2012, however, belatedly, i.e. after expiry of four months, on 13.09.2015, the 2nd respondent passed the order accepting the relinquishment letter of the petitioner. Therefore, the stand taken by the 2nd respondent is contrary to the Rule 47(2) and cannot be accepted.

4. Accordingly, Writ Petition is allowed and the impugned order dated 02.09.2016 passed by the 2nd respondent is set aside. It is reported that the petitioner had retired on attaining the age of superannuation. Therefore, the respondents are directed to include the name of the petitioner in the panel for promotion to the post of Senior Draughting Officer for the year 2015-16 and pass appropriate orders, giving notional promotion and grant all consequential pensionary benefits to the petitioner. The said exercise shall be completed by the respondents within a period of 12 weeks from the date



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of receipt of a copy of this order. No costs. Consequently, connected WMP

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is closed.

K.SURENDER, J.

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Index: Yes/No

Neutral Citation: Yes/No

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To

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Nadu, Environment and Forest
Department, Secretariat, Chennai-9.

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