



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2025

CORAM

THE HONOURABLE MRS JUSTICE V.BHAVANI SUBBAROYAN

WP No. 35264 of 2023

1. P.Narayanan

S/o Pethappa No 45, Sriram Nagar
Asanampattu Anaikattu Taluk Vellore
District

2.C.Ayothi

S/o Chinnasamy Sirukotham Village,
Kilpennathur Tlaug Thiruvannamali
District

3.G.Srinivasan

S/o E. Govindan No 114 / 58c,
Vadamatha Theru Thiruvannamali
Town Thiruvannamali District

4.A. Ammavasai

S/o Appu Melsirupakkam Village
Keelsirupakkam Post, Thandrampattu
Taluk, Thiruvannamali District

5.R. Srinivasan

S/o Rathinam No 393 Villangur Illage
Melnemili Post Vanthavasi Tlaug
Thiruvannamali District



WP No. 35264 of 2023



Petitioner(s)

Vs

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1. The State Of Tamilnadu
Rep., By Its Secretary To Government,
Environemtn, Climate Change And
Forest Department Fort St Goerge
Chennai 9

2.The Principal Chief Conservator Of
Forest
And Head Of Forest Force Forest
Headquarters Velachery Main Road
Guindy Chennai 600 032

Respondent(s)

PRAYER

This Writ Petition is filed under Article 226 of Constitution of India, praying to issue Writ of Mandamus to direct to the respondents to consider the eptitioners notional promotion as Forest Guard on par with their respective juniors by including their names in the panel drawn for the year 2003 - 2004 with effect form 31.05.2004 in the light of the order passed in W.P. No 3463 of 2021 dated 18.02.2021 and in the light of the proceedings of the 1st respondents in Letter No. 314 / FR. 2 (i) / 2022(i) / 2022-1, dated 24.01.2022 by considering the petitioners representation dated 09.01.2023 within time frame and pass

For Petitioner(s): M/s.K.Jenitha

For Respondent(s): Mr.S.Rajesh, GA for respondents

**ORDER**

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This Writ Petition is filed seeking for a direction to the respondents to consider the petitioners notional promotion as Forest Guard on par with their respective juniors by including their names in the panel drawn for the year 2003-2004 with effect from 31.05.2004 in the light of the order passed in W.P. No 3463 of 2021 dated 18.02.2021, and in the light of the proceedings of the 1st respondent in Letter No. 314/FR. 2 (i)/2022(6)/2022-1, dated 24.01.2022 by considering the petitioners representation dated 09.01.2023 within time frame.

2. The brief facts of the case are that the petitioners were initially appointed as Plot Watchers on daily wage basis between 1974 and 1985. In the state wide seniority list, the names of the petitioners were also included. The petitioners service came to be regularized in the cadre post of Forest Watchers in the years 2005, 2010, 2013 & 2014 after rendering about 25 years of service on daily wages basis, but their juniors were given regular appointments as on 24.01.1995. Hence, the petitioner filed Writ Petition seeking notional promotion



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to the post of Forest Watcher on par with their juniors with effect from 24.01.1995, with all consequential benefits and they obtained order in their favour. In compliance with the order, the first respondent passed orders giving notional promotion on par with the petitioners juniors to the post of Forest Watcher, but the respondents failed to consider that the petitioners' juniors got their subsequent promotion upto the post of Forest Guard. According to the petitioners, once their services were regularized with effect from 24.01.1995 as Forest Watchers, they are entitled to get the benefits of next promotions like Forest Guard on par with their juniors notionally. In view of their juniors' promotions to the post of Forest Guard on 31.05.2004, the petitioners are entitled to notional promotion on par with their juniors. Therefore, the petitioners have made a representation to the respondents on 09.01.2023, but the same was not considered. Hence, the present Writ Petition.

3. Learned counsel for the petitioners would submit that it would suffice, if a direction is issued to the respondents to consider the petitioners' representation dated 09.01.2023, within a time frame fixed by this Court.

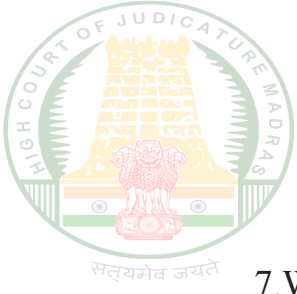


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4. The learned Government Advocate for the respondents would submit that if a period of twelve weeks time is granted, the respondents would consider the representation of the petitioners' dated 09.01.2023 and pass appropriate orders.

5. Heard both sides and perused the records.

6. Considering the limited prayer of the learned counsel for the petitioners', without expressing any opinion on the merits of the case, a direction is issued to the respondents to consider the petitioners' representation dated 09.01.2023, by affording an opportunity of hearing to the petitioners', and pass appropriate orders on merit and in accordance with law, preferably within a period of twelve weeks, from the date of receipt of a copy of this order.



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7. With the above directions, this Writ Petition is disposed of. No costs.

27-03-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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V.BHAVANI SUBBAROYAN J.

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