



W.P.No.41647 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2025

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THE HONOURABLE MR.JUSTICE G.K. ILANTHIRAIYAN

W.P.No.41647 of 2025

Mr.A.N.Sivakumar

: Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Environment, Climate Change and Forest Department,
Secretariat, Fort St.George,
Chennai-600 009.

2.The Principal Chief Conservator of Forests
(Head of Forest Force),
Forest Head Quarters,
Near Kannikapuram Check Post,
Guindy-Velachery Main Road,
Guindy-600 032.

3.The Chief Conservator of Forests,
Vellore Circle,
Vellore-632 009.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings of the 2nd respondent vide C.No. B2/ 32526/ 2023- 1, dated 23.07.2024 and 2nd respondent in Ref. No. HOTNFD/ 3029/ 2025- B2 dated 8.09.2025 passed by the Principal Chief Conservator of Forests (Head of Forest Force) Chennai and to quash the same as illegal, arbitrary discriminatory, violative of Articles 14, 16 and 21 of the Constitution of India and contrary to the provisions of the Rights of Persons with Disabilities Act 2016 the DoPT office Memorandum F.No. 42011/ 3/ 2014 -Estt. (Res) dated 8.10.2018 and GO (MS) No. 107 Personnel and Administrative Reforms (S) Department dated 3.09.2020 and



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consequently to direct the respondents to retain and post the petitioner within the Vellore Forest Circle (or in any nearby range within the same circle) in the promotional cadre of Forest Range Officer, with continuity of service pay fixation and all consequential service and monetary benefits till his superannuation on 30.04.2026.

For Petitioner : Mr.T.Dharani

For Respondents : Mr.C.Selvaraj
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order of transfer dated 23.07.2024 and the order dated 08.09.2024 on the file of the second respondent thereby rejected the request to consider the order of transfer.

2. The petitioner joined in the respondent department as Forest Watcher. Later, he was promoted to the post of Forest Guard. Subsequently, he was promoted to the post of Forester and he was working at Tiruvannamalai Forest Division. While being so, he was promoted to the post of Forest Range Officer and transferred to Nilgiris district. It was challenged before this Court and the petitioner was given liberty to submit representation to re-consider the order of transfer. However, request made by the petitioner was rejected.



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3. Learned counsel for the petitioner would submit that the petitioner is having disabled sister and no one is there to look after her. He further submits that the petitioner is on the verge of retirement. Therefore, he may be considered in the same Vellore Forest Division. Though the petitioner was promoted to the post of Forest Range Officer by an order dated 23.07.2024, even till today, the petitioner did not join the promotional post though he was relieved on 09.10.2024.

4. Section 7 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 provide that the list of approved candidates for appointment by promotion and by recruitment by transfer to all the categories of posts in the State and Subordinate Services shall be prepared annually against the estimated number of vacancies expected to arise in the course of a year.

5. As per the above Rule, the promotion panel of Forest Range Officer issued in Principal Chief Conservator of Forests Proceedings No.B2/32526/2023 dated 18.07.2024 shall be valid for one year only. The validity of the panel lapsed on 17.07.2025. Accordingly, the maximum permissible time frame for the petitioner to join the promotion post was on or before 17.07.2025. However, the petitioner failed to join the promotion post of Forest Range Office within the valid period of the panel. Therefore, as per Section 7(1) of the Tamil Nadu Government



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Servants (Conditions of Service) Act, 2016 the action of the petitioner towards non-joining in the promotion post warrants removal of his name from the approved selection list dated 18.07.2024. In this connection, in the present writ petition, the petitioner has prayed to retain the post in the Vellore Circle. In this regard, the panel for the year 2023-24 has already lapsed. Further, as per para 5, the petitioner is eligible, his name may be considered for inclusion in the panel year 2024-2025. Depending on the vacancy position, the posting order to be petitioner shall be issued only after his inclusion in the next panel. Therefore, an order to this effect will be issued separately.

6. Accordingly, the promotion panel of Forest Range Officer is valid only one year. Now the validity of the panel lapsed as early as on 17.07.2025. The maximum permission to time frame for the petitioner to join in the promotion post was on or before 17.07.2025. However, the petitioner failed to join in the promotional post within valid period of panel. Hence, the name of the petitioner was removed from the approved selection list for promotion dated 18.07.2024. Further, the petitioner will be considered for inclusion in the promotion panel only next year. Therefore, the request made by the petitioner to reconsider the order of transfer was rightly rejected.



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7. In view of the above, this Court finds no infirmity or illegality in the order passed by the second respondent dated 23.07.2024 and the order dated 08.09.2024 passed by the second respondent. The writ petition is devoid of merits and the writ petition stands dismissed. No costs. Consequently, connected WMP No.46674 of 2025 is closed.

07.11.2025

Speaking (or) Non Speaking Order

Neutral Citation: Yes/No

mrn

To

1.The Additional Chief Secretary to Government,
Environment, Climate Change and Forest Department,
Secretariat, Fort St.George,
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2.The Principal Chief Conservator of Forests
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G.K. ILANTHIRAIYAN, J.

(mrn)

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