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W.P.No.9985 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.9985 of 2024

And

W.M.P.No.10999 of 2024

- 1 K.KALIMUTHU
- 2 S.SASIKUMAR
- 3 A.JAISON PRADEEP KUMAR
- 4 M.MARIMUTHU
- 5 M.SENTHIL KUMAR
- 6 S.THIYAGO
- 7 V.JAYAPRAKASH

... Petitioners

Vs.

- 1 GOVERNMENT OF TAMIL NADU
REP. BY ITS SECRETARY
ENVIRONMENT, CLIMATE CHANGE AND FOREST DEPARTMENT,
FORT ST.GEORGE,
CHENNAI – 600 009.
- 2 THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
(HEAD OF FOREST FORCE)
VELACHERY MAIN ROAD,
GUINDY,
CHENNAI – 32.
- 3 A.J.JAYAKUMAR
- 4 A.SUBRAMANIAN
- 5 K.ANBALAGAN
- 6 M.SAMY
- 7 K.SIDDARAJ
- 8 R.CHANDRAN

... Respondents



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Prayer:

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Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the entire records which culminated in issuing the in proceedings No.AB1/26103/2017 dated 09.08.2017 passed by the second respondent, and consequential Ref. No.AB1/26103/2017 order passed by the same respondent by order dated 16.08.2017 forester panel for the year 2015-2016 and quash the same in so far as the respondents 3 to 8 is concerned and consequently directing respondents to re-drawn the panel for the year 2015 – 2016 as per intimated vacancy issued by the second respondent by way of format proceeding Nil dated nil and include the petitioner name for above said panel by way of getting notional promotion for the post of forester enhanced salary on par with other persons and confer all consequential pensionary benefits.

For Petitioners : Mr.S.Mani

For Respondents : Mr.C.Selvaraj for R1 and R2
Additional Government Pleader
R3 & R4 – No Appearance

ORDER

The petitioners have filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the entire records which culminated in issuing proceedings No.AB1/26103/2017 dated 09.08.2017 passed by the second respondent, and consequential Ref.



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No.AB1/26103/2017 order passed by the same respondent by order dated 16.08.2017 forester panel for the year 2015-2016 and quash the same in so far as the respondents 3 to 8 is concerned and consequently directing respondents to re-draw the panel for the year 2015 - 2016 as per intimated vacancy issued by the second respondent by way of format proceeding Nil dated nil and include the petitioner's name for above said panel by way of getting notional promotion for the post of forester enhanced salary on par with other persons and confer all consequential pensionary benefits.

2.The learned counsel appearing for the petitioners submitted that the petitioners were appointed to the post of Forest Guard cum Driving License during July, 2007 and August, 2007 and were promoted as Forester on 12.10.2020. The grievance of the petitioners is that the petitioners are eligible to get promotion in the Forester panel for the year 2015 - 2016, however, their names were included only in the panel for the year 2016 - 2017.

3.The learned counsel appearing for the petitioners further submitted that the official respondents in paragraph no.4 of the counter affidavit have clearly stated that as per Section 12 (2) of the



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Tamil Nadu Forest Subordinate Service Rules, the method of appointment for the post of Forester is as follows:

'Direct Recruitment : 40%

Promotion among the holder of Forest Guard : 55%

Recruitment by Transfer from Ministerial Service : 4%

Promotion from the post of Assistant Draughtsman : 1%.'

4.The learned counsel appearing for the petitioners further submitted that the official respondents in paragraph no.4 of the counter affidavit have further stated that pursuant to the order of the Hon'ble Division Bench of this Court dated 17.04.2018 in W.A.Nos.811 of 2011 etc., batch, the Committee had prepared the seniority list on a year to year basis from the year 2002 to 2017 by observing the rota – quota rule as directed by the Hon'ble Division Bench of this Court and the report of the Committee was submitted to the Government in Principal Chief Conservator of Forests Letter No.AB1/21033/2013, dated 18.01.2019 and 08.02.2019 and the Government issued G.O. (Ms).No.83, Environment and Forests (FR-2-1) Department, dated 26.08.2019, in acceptance of the report of the Committee and accorded the following orders:-

'a)The report of the Committee and the Inter-se seniority list of Forest Guard submitted by the Committee are



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accepted, subject to the outcome of the orders of Hon'ble Supreme Court of India in Special Leave Petition (C) No.19254/2018 and 29396/2018 and 29396/2018; and the provisional seniority of 25 persons fixed by the Principal Chief Conservator of Forests in his proceedings No.AB2/33871/2005, dated 05.08.2009 is cancelled.

b)

c)

d)Permission is accorded to the Principal Chief Conservator of Forests to fix the seniority of retired persons with their immediate juniors in the respective panels and to fix their pay as per provision 1 to ruling 17 under FR.27.'

5.The learned counsel appearing for the petitioners further submitted that in view of the counter affidavit filed by the official respondents, this Court may issue direction to the official respondents to include the name of the petitioners in the Forester panel for the year 2015 – 2016 and fix the seniority of the petitioners on par with the private respondents in respect of the 325 vacancies available at the relevant point of time and to pass appropriate orders.

6.Heard the arguments advanced on either side and perused the materials available on record.



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7.The grievance of the petitioners is that the petitioners are eligible to get promotion in the Forester panel for the year 2015 – 2016, however, their names were included only in the panel for the year 2016 – 2017.

8.Perusal of records reveal that the Government issued G.O. (Ms).No.83, Environment and Forests (FR-2-1) Department, dated 26.08.2019, as per which, the report of the Committee and the Inter-se seniority list of Forest Guard submitted by the Committee are accepted, subject to the outcome of the orders of Hon'ble Supreme Court of India in Special Leave Petition (C) No.19254/2018 and 29396/2018 and 29396/2018; and the provisional seniority of 25 persons fixed by the Principal Chief Conservator of Forests in his proceedings No.AB2/33871/2005, dated 05.08.2009 is cancelled; permission is accorded to the Principal Chief Conservator of Forests to fix the seniority of retired persons with their immediate juniors in the respective panels and to fix their pay as per provision 1 to ruling 17 under FR.27.

9.In view of the above, this Court directs the official respondents to consider the claim of the petitioners with regard to



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entitlement of promotion in the Forester panel for the year 2015 – 2016 on par with the private respondents in the 325 vacancies available at the relevant point of time and fix the petitioner's seniority in appropriate place and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

10.The writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

20.01.2026

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

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M.DHANDAPANI,J.
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