Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 36206 of 2024

CNR:{HCMA012200572024}

D.Koothan

..Petitioner

Vs

1. The State of Tamil Nadu
   Rep. by its Secretary to Government,
   Forest and Environment (Fr-2) Department,
   Fort St. George, Chennai 600 009.

2. The Principal Chief Conservator of Forests
   Office of Principal Chief Conservator of Forests
   (Head of Forest Force),
   Forest Headquarters Building,
   Guindy-Velachery Main Road,
   Near Kannikapuram Check Post,
   Guindy, Chennai 600032.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to include the petitioner name in the panel for promotion to the post of Forester for year 2012-2013 in the appropriate place therein on that basis promote him as forester notionally and thereby revise the pensionary benefits based on the Rule 5 of Tamil Nadu Forest Subordinate Service Rules prevailing during 2012-2013.

For Petitioner: Ms.T.Dharani

For Respondents: Mr.A.R. Suresh,
Special Government Pleader.

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This writ petition has been filed by the petitioner for the issuance of a Writ of Mandamus to consider the petitioner's representation dated 16.10.2023.

2. The learned counsel for the petitioner submitted that, as per the rules, the petitioner had completed more than eight years of service as a Forest Guard during the relevant panel year 2012–2013. It is his contention that since the petitioner completed the service with the requisite qualifications, he was fully eligible to be considered for promotion for the panel year 2012–2013. Hence, he prayed for a direction to consider the petitioner's representation dated 16.10.2023.

3. Per contra, the learned Special Government Pleader strongly opposed the above contention that the petitioner did not possess the requisite qualification as he did not possess the required educational qualification prescribed for promotion to the post of Forester. He further submitted that the as per his position of seniority, in the post of Forest Guard, became eligible for consideration for promotion to the post of Forester only in the panel year 2018-19 with crucial date 15.08.2018. Hence, he prayed for the dismissal of the writ petition.

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4. I have given anxious consideration to either side submissions.

5. The main ground urged by the petitioner that he has requisite qualification to be considered for the panel year 2012-2013. However, Paragraph No.2 of the Counter statement filed by the learned Special Government Pleader reads as follows:

> *"2. I respectfully submit that the petitioner, as per his seniority in the post of Forest Guard, is not entitled for consideration in the promotion panel of Forester for the year 2012-13. Moreover he lacks the educational qualificaiton prescribed for promoton to the post of Forester. The prayer of the writ petitioner stems from the propensity to seek preferential treatment with regard to the relaxation in the seniority order in feeder category and the service rules for promotion to the post of Forester from the post of Forest Guard which is unfair and untenable."*

6. On a perusal of the above submissions, it is amply clear that the petitioner did not possess the requisite qualification as on the crucial date of consideration. Further to contradict the above stand no document submitted. Since the petitioner did not possess the requisite qualification, he cannot seek promotion as a matter of right, that too in the absence of the prescribed qualification.

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7. Accordingly, this Court is the form view that there are no grounds made out to direct the respondents to consider the representation dated 16.10.2023. Accordingly, this Writ petition stands dismissed. However, the learned counsel for the petitioner submitted that similarly placed persons preferred a review in Review Application No.222 of 2023. Therefore, subject to the outcome of the said review petition, the petitioner is given liberty to submit a fresh representation in accordance with law.

30-10-2026

Index: Yes
Speaking order
Neutral Citation: Yes

SHL

To:

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   Rep. by its Secretary to Government,
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C.KUMARAPPAN J.

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