

In the High Court of Judicature at Madras

Dated: 31.01.2008

Coram

The Honourable Mr.JUSTICE F.M.IBRAHIM KALIFULLA

W.P.Nos.141 and 142 of 2008

S.Rajamanickam Petitioner in W.P.No.141 of 2008

P.Sakthivel Petitioner in W.P.No.142 of 2008

Vs.

1. Government of Tamil Nadu,
Rep. By its Secretary, Forest Department,
Fort St.George, Chennai-9.

2. The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai-15. Respondents in both W.Ps.

PETITIONS filed under Article 226 of The Constitution of India praying for the issuance of writ of mandamus directing the respondents herein to forthwith grant the selection grade scale to the petitioner with effect from 08.01.2001 and 20.04.2001 respectively and pay the arrears of salary and such other pay benefits including the pensionary benefits.

For Petitioners : Mrs. G.Thilakavathi
For Respondent : Mr.S.N.Kirubanandam A.G.P.

सत्यमेव जयते

O R D E R

Heard the learned counsel for the petitioners as well as the learned Additional Government Pleader.

2. The petitioners seek for the issuance of a writ of Mandamus to direct the respondents to forthwith grant Selection Grade to the petitioners with effect from 08.01.2001 and 20.04.2001 respectively and to pay the arrears of salary and such other pay benefits including the pensionary benefits.

3. The petitioners are stated to have retired from service on 30.6.2006 and 31.12.2005 respectively. According to the petitioners, non-grant of selection grade, as could be seen from the proceedings of the second respondent dated 9.9.2003 was for certain specified reasons which were all to be considered only by the first respondent. The petitioners stated to have made a representation also to the first respondent on 14.1.2008 . Since the petitioners have retired from service as early as 30.6.2006 and 31.12.2005 respectively and the grant of selection grade in the event of satisfaction of the grounds set out in the proceedings of the second respondent dated 9.9.2003, the same would entitle the petitioners to seek for appropriate scale of pay applicable to such selection grade and also the consequential benefits in the form of arrears in the difference of scale of pay as well as other service benefits payable to them.

4. Under such circumstances, it is imperative on the part of the first respondent to consider the petitioners' representation dated 14.01.2008, expeditiously and pass orders preferably within a period of four weeks from the date of production of a copy of this order, after considering the points raised by the petitioners in the representations as well as the proceedings of the second respondent 9.9.2003.

5. With the above observation, the writ petitions are disposed of. No costs.

VJY

Sd/-
Asst. Registrar.

/true copy/

सत्यमेव जयते

Sub Asst. Registrar.

To

1. The Secretary to Government,
Forest Department,
Fort St.George, Chennai-9.
 2. The Principal Chief Conservator of Forests,
Panagal Building, Saidapet, Chennai-15.
- 1 cc to Mrs.G.Thilakavathi, Advocate, SR.4754
skv (co)

dv/19.2.

W.P.Nos.141 and 142 of 2008