

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.16449 of 2015

P.Ramar

.. Petitioner

Vs.

1.The Principal Chief Conservator
of Forest,
Office at Panagal Maaligai,
Saidapet, Chennai-600 015.

2.The Conservator of Forest,
Vellore Region,
Vellore District.

3.The District Forest Officer,
Thiruvannamalai South Division,
Office at Polur,
Thiruvannamalai District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the third respondent to implement the proceedings in Paa.Aa.No.139/2014 dated 08.12.2014 of the second respondent and to issue posting order to the petitioner as Forest Watcher without insisting for completion of 10 years of continued service in the light of the judgment dated 29.04.2011 in W.A.No.887 of 2010 and the order dated 03.02.2015 passed in W.P.No.1577 of 2014 within a time frame to be stipulated by this Court with all consequential benefits.

For Petitioner : Mr.S.Mani

For Respondents: Mr.N.Inbanathan,
Government Advocate (F)

ORDER

Mr.N.Inbanathan, learned Government Advocate, takes notice for the respondents.

2. The petitioner was appointed as Plot Watcher on 11.04.1990 on daily wage basis in the Forest Department. The name of the petitioner was included in the State wide Seniority list as serial

No.5231 drawn by the Forest Department in the year 1999. The petitioner was brought under the cadre of Forest Watcher in the office of the third respondent by the proceedings of the second respondent dated 08.12.2014 after completion of 24 years of service. Though proceedings were issued, no posting order was given stating that he did not render continuous service of 10 years. Hence, the petitioner made a representation on 29.01.2015 to the third respondent to issue appropriate orders pursuant to the order of regularisation. But till date, no order has been passed on the said representation. Therefore, the petitioner has filed the above writ petition.

3. The learned counsel appearing for the petitioner prays for a direction to the third respondent to pass orders on the representation dated 29.01.2015 by placing reliance on the Division Bench judgment of this Court in W.A.No.887 of 2010 dated 29.04.2011 and seeks to issue the posting order without insisting the condition of completion of 10 years of continuous service, particularly, when the petitioner has rendered more than 24 years of service.

4. In view of the narrow prayer made, the third respondent is directed to consider and pass appropriate orders on the aforesaid representation dated 29.01.2015 made by the petitioner within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

raa

To

- 1.The Principal Chief Conservator of Forest,
Office at Panagal Maaligai,
Saidapet, Chennai-600 015.
- 2.The Conservator of Forest,
Vellore Region, Vellore District.
- 3.The District Forest Officer,
Thiruvannamalai South Division,
Office at Polur,
Thiruvannamalai District.

+ 1 cc to Mr.S. Mani, Advocate Sr.28008

+ 1 cc to Special Government Pleader Sr.28133

W.P.No.16449 of 2015

VSN(CO)

Eu 22.06.15