

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.18087 of 2015

G.Kumar

... Petitioner

vs.

1.Government of Tamil Nadu,
Rep. by its Secretary,
Environment and Forest Department,
Fort St.George,Chennai - 600 009.

2.The Principal Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai - 600 015.

3.District Forest Officer,
Thiruvallur District, Thiruvallur.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus, directing the respondents to appoint the petitioner as regular time scale Forest Guard taking into account of the seniority and qualification, on par with the juniors in the light of the orders passed in W.P.No.15561 of 2006 dated 10.03.2008, W.A.No.690 of 2008 dated 13.10.2009, W.P.No.23374/2008 dated 30.10.2009, W.A.No.607 of 2010 dated 29.03.2010 and proceedings of the 2nd respondent dated 07.01.2011 and confer all consequential benefits.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.N.Inbanathan
Govt.Advocate (F)

WEB COPY
O R D E R

The petitioner has filed this writ petition seeking to appoint him as regular time scale Forest Guard. According to the petitioner, his juniors were promoted and granted time scale of pay, but he was not considered. He has relied on the judgments passed in W.P.No.15561 of 2006 dated 10.03.2008, W.A.No.690 of 2008 dated 13.10.2009, W.P.No.23374 of 2008 dated 30.10.2009 and W.A.No.607 of 2010 dated 29.03.2010 in this regard. Hence, he made a representation dated 31.03.2014 to the respondents seeking to regularise his service in

terms of the aforesaid judgments and also on the ground that his juniors were granted regularisation. However, there is no acknowledgment for having sent the representation dated 31.03.2014.

2. When the matter was taken up for hearing, the learned counsel for the petitioner has submitted that the petitioner would be satisfied if he is permitted to submit a fresh representation to the respondents setting out his grievance.

3. In view of the narrow prayer made, the petitioner is permitted to submit a fresh representation setting out his grievance to the second respondent and in case any such representation is made, the same shall be considered and disposed of by the second respondent on merits and in accordance with law, in the light of the judgments referred to above and in view of the averment made by the petitioner that his juniors were brought into time scale of pay, within a period of 12 weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

svki

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1.The Secretary,
Government of Tamil Nadu,
Environment and Forest Department,
Fort St.George,Chennai - 600 009.
- 2.The Principal Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai - 600 015.
- 3.District Forest Officer,
Thiruvallur District, Thiruvallur.

+ 1 cc to Mr.C.Prabakaran, Advocate SR 30792

+ 1 cc to the Special Government Pleader (Forests) High Court,
Chennai 104. SR 31100

jsv(co)
prk26/6

W.P.No.18087 of 2015