

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE D. HARI PARANTHAMAN

W.P.No.18590 of 2015

R.Sekar

... Petitioner

v.

1. The Principal Chief Conservator of Forests,  
Panagal Building, Saidapet,  
Chennai 600-015.
2. The District Forest Officer,  
Thiruvannamalai South Division,  
Thiruvannamalai District.  
... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to confer regular time scale of pay to the petitioner in the non-cadre post of Plot Watcher (Supernumerary), as per G.O.Ms.No.65, Forest Department, dated 08.03.1999 and G.O.Ms.No.95, Environment and Forest Department, dated 7.08.2009 and by considering the representation, dated 07.10.2013, of the petitioner, with all consequential benefits.

Mr.S.Mani For Petitioner :

: Mr.N.Inbanathan For Respondents

Govt. Advocate (Forest)

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O R D E R

The petitioner joined the Forest Department, as Social Forestry Worker on daily wage basis. Thereafter, he was transferred to the Rural Development Department, vide proceedings, dated 11.09.1989 of the Divisional Forest Officer, Tiruvannamalai. The Government have issued orders in G.O.Ms.No.65, Forest Department, dated 08.03.1999, including the names of persons, who were transferred to other Departments, in the list for absorption on regular service, in the Forest Department. The petitioner

ranked at Sl.No.4169.

2. The grievance of the petitioner is that one Mr.R.Rajendran, a similarly placed person, like him, whose rank is at Sl.No.4176, was given regular time scale of pay, on 12.07.2012, in the post of Plot Watcher (Supernumerary). But the petitioner has not been given time scale of pay. Hence, he has made a representation, dated 07.10.2013, to grant him the regular time scale of pay for the post of Plot Watcher (Supernumerary), as per G.O.Ms.No.95, Environment and Forest Department, dated 07.08.2009.

3. Learned counsel for the petitioner, during the hearing of the writ petition, has prayed for disposal of the aforesaid representation of the petitioner, on merits and in accordance with law, in the light of G.O.Ms.No.95, dated 07.08.2009 and also for the conferment of time scale of pay, like in the case of Mr.R.Rajendran, similarly situated person.

4. In view of the narrow prayer made, the 2<sup>nd</sup> respondent is directed to pass orders, on the representation of the petitioner, dated 07.10.2013, seeking to confer regular time scale of pay in the post of Plot Watcher (Supernumerary), in the light of G.O.Ms.No.95, Environment and Forest Department, dated 07.08.2009 and also taking note of the fact that one Mr.R.Rajendran, similarly situated person, has been given time scale of pay, in the post of Plot Watcher (Supernumerary), on merits and in accordance with law, within a period of twelve weeks, from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-  
Asst.Registrar (CS II )

/true copy/  
सत्यमेव जयते

Sub Asst. Registrar

skm

To

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

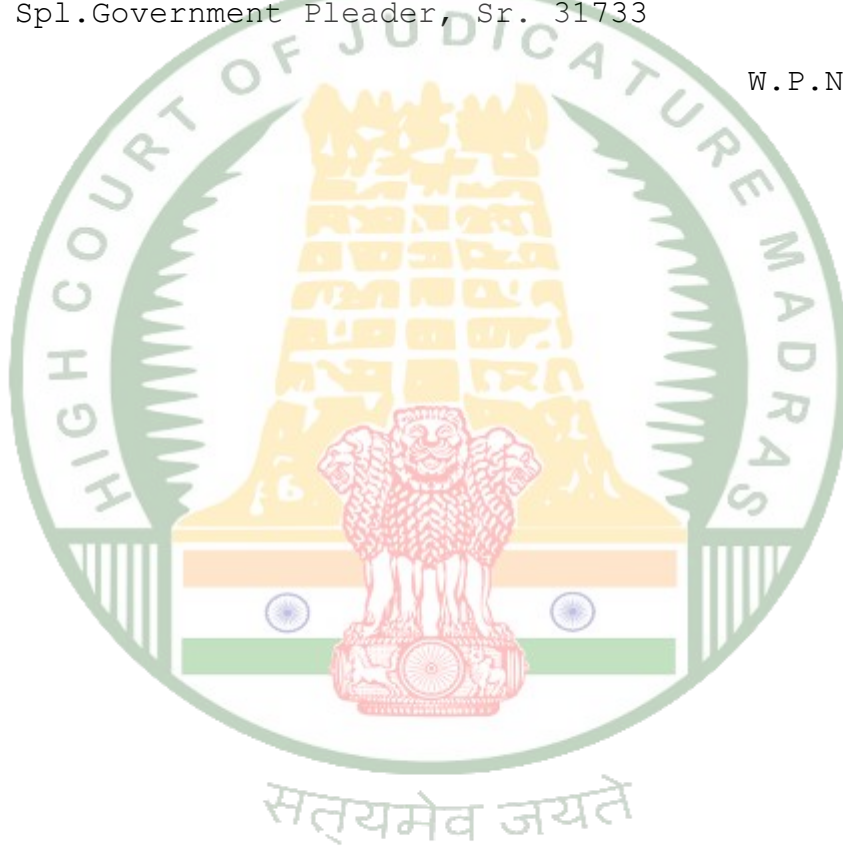
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2. The District Forest Officer,  
Thiruvannamalai South Division,  
Thiruvannamalai District.

1 cc to Mrs.Mani, Advocate, Sr. 31674  
1 cc to Spl.Government Pleader, Sr. 31733

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MG (CO)  
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