

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 28.1.2015.

CORAM

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

W.P.No.26773 of 2014

N.Vellaiyan

Petitioner

vs.

- 1 The State of Tamilnadu  
Rep. by its Secretary to Government  
Environment and Forest Department  
Fort St. George Chennai.
- 2 The Principal Chief Conservator  
of Forest  
Panagal Building  
Saidapet Chennai-15.
- 3 The Wildlife Warden  
Grizzled Squirrel Wildlife Sacturing  
Opp. to Aavin Milk  
Pillaiyar Natham & Post  
Srivilliputhur.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus Directing the respondents to revise the date of joining as 01.07.1982 and to appoint the petitioner in the regular time scale as Forest Watcher taking into account of his seniority and qualification on par with his 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 and W.P.No.23374 of 2008 dated 30.10.2009, W.A.No.607 of 2010 dated 29.03.2010 and proceedings of the second respondent dated 07.01.2011 and confer all consequential benefits.

For Petitioner : Ms.K.Jenitha

For Respondents: Mr.N.Inbanathan, G.A. (F)

ORDER

The writ petitioner was appointed as Plot Watcher on 1.7.1982 on daily wages. He worked as Plot Watcher for 28 years and thereafter, he was brought into the regular timescale of pay in the category of Forest Watcher.

2. The Government had issued several orders, thereafter, prescribing qualification for appointing to the post of Forest Watcher. The Government have also drawn a State-wide seniority vide G.O.Ms.No.64. The name of the petitioner is found in serial number 3636 in the seniority list. It is the grievance of the petitioner that his case for appointment and sanction of regular timescale of pay taking into account the seniority was not considered by the respondents. The petitioner is, therefore, before this court.

3. The documents available on record would clearly show that a report was called for from the District Forest Officer by the second respondent for the purpose of considering the representation of the petitioner. The issue raised by the petitioner should be considered in the light of the orders passed by this court in W.P.No.15561 of 2006 and W.P.No.23374 of 2008 dated 10.3.2008 and 30.10.2009 respectively and the judgment in W.A.No.690 of 2008 and W.A.No.607 of 2010 dated 13.10.2009 and 29.3.2010 respectively.

4. The second respondent is directed to consider and dispose of the representations submitted by the petitioner on 5.4.2014 taking into consideration the above orders and judgments. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order. The writ petition is disposed of with the above direction. No costs.

Sd/-  
Deputy Registrar  
Dated:17.2.15

True Copy

Sub Assistant Registrar

To

- 1 The Secretary to Government  
State of Tamilnadu  
Environment and Forest Department  
Fort St. George Chennai.
- 2 The Principal Chief Conservator  
of Forest Panagal Building  
Saidapet Chennai-15.
- 3 The Wildlife Warden  
Grizzled Squirrel Wildlife Sacturing  
Opp. to Aavin Milk Pillaiyar Natham & Post  
Srivilliputhur.

+1 cc to Spl.Government Pleader,SR.4258

ssi(co)  
krd 21/2

W.P.No.26773 of 2014