

In the High Court of Judicature at Madras

Dated: 09.10.2015

Coram

The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.32066 of 2015

R.Muniappan

.... Petitioner

Vs.

State rep. by its

1. The District Forest Officer,
Dharmapuri District,
Dharmapuri.

2. The Forest Range Officer,
Dharmarpui Range,
Dharmapuri - 636 702.

.... Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 10.06.2015 within the time framed by this Hon'ble Court and to give employment to the petitioner as a "tending watcher" in the 2nd respondent office without any interruption.

For Petitioner : Mr.K.Gandhi Kumar

For Respondents : Mr.N.Inbanathan, G.A.

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner would state that he joined in the forest department as 'tending watcher' on daily wages during 1986 to 1987 in Salem Forest Range. After some time, he was disengaged. The first respondent, once again, appointed the petitioner and two others on 16.9.1990 as 'tending watcher' and he joined the

duty in Harur Forest Ranger Office at Harur and continuously working as 'tending watcher' without any complaint. The first respondent, taking into consideration the services rendered by the petitioner, revised his monthly salary from Rs.2,126/- from 01.07.2009 to 21.5.2013. It is also stated by the petitioner that the first respondent vide G.O.No.202, Environment and Forest Department dated 18.12.2013 had stated that if any daily wages employee worked 10 or more years in the forest Department as tending watcher or forest worker, their services will be regularized by the special scale of pay i.e., Rs.2,500-5000 + Grade pay - Rs.500/-. Based on the said G.O., the first respondent, vide proceedings dated 08.01.2014, has appointed the petitioner as 'tending watcher'.

3. The grievance now expressed by the petitioner is that all of a sudden, on and from 28.2.2015, the second respondent is not permitted the petitioner to perform his duty. In this regard, the petitioner has submitted a representation dated 10.06.2015 to the first respondent praying for reinstatement in service for the reasons that he has worked in the Forest Department for more than 17 years. Since no orders have been passed, the petitioner came forward to file this Writ Petition.

4. Heard the submissions of learned counsel appearing for the petitioner and Mr.N.Inbanathan, learned Government Advocate, who accepts notice on behalf of respondents.

5. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the first respondent to consider the representation of the petitioner dated 10.06.2015 on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

The Writ Petition is disposed of accordingly. No costs.

sd/

ASSISTANT REGISTRAR (CO)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

sl

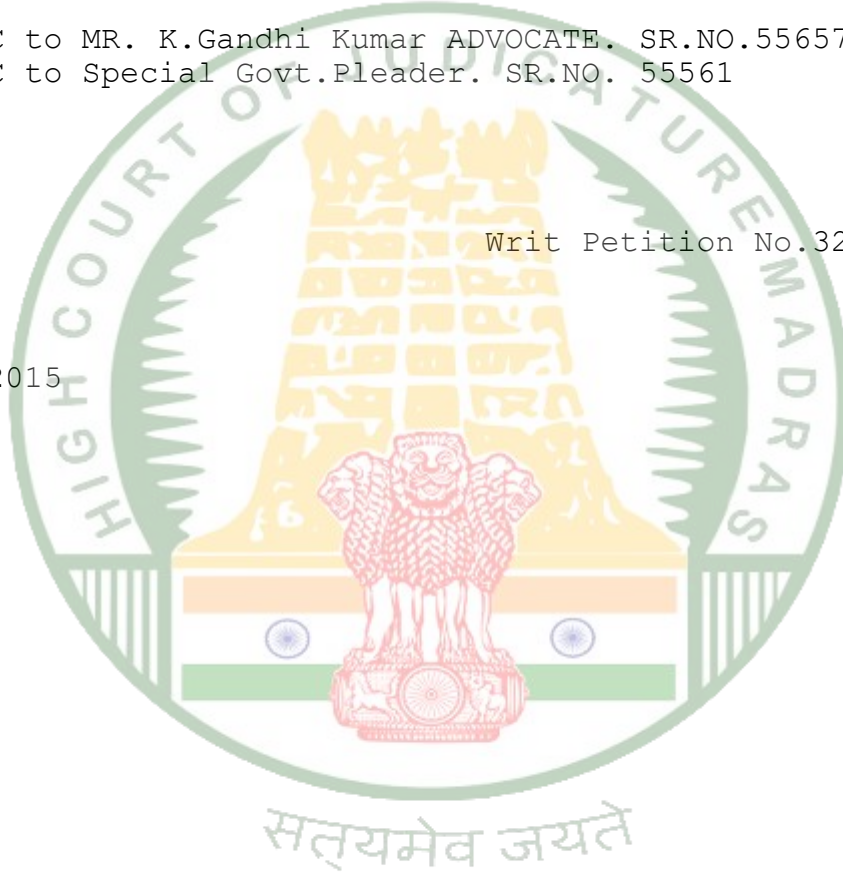
To

1. The District Forest Officer,
Dharmapuri District,
Dharmapuri.
2. The Forest Range Officer,
Dharmarpui Range,
Dharmapuri - 636 702.

+1 CC to MR. K.Gandhi Kumar ADVOCATE. SR.NO.55657
+1 CC to Special Govt.Pleader. SR.NO. 55561

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CO-MG
JD 20/10/2015



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