

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 26.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.33711/2015

S.Sivakumar

...Petitioner

Versus

1. The Secretary to Government
Environment & Forest Department
Secretariat, Chennai-9.
 2. The Principal Chief Conservator of Forest
Head of Forest Force,
Panagal Building
Saidapet, Chennai 600 015.
- ...Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of mandamus directing the 2nd respondent to consider the petitioner representation dated 21.06.2015 to prepare fair seniority for the post of Forest Guard based on G.O.Ms.No.64, E&F [F2] Department dated 08.03.1999 and to take appropriate steps on persons who were appointed in violation of rules in force.

For Petitioner : Mr.A.Tamilrajan

For R1&R2 : Mr.M.K.Subramaniam,
Spl.GP [Forests]

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner would state that he was appointed as Forest Guard by way of direct recruitment through the Employment Exchange on 25.10.2000 and was promoted as Forester on 21.12.2011 and would claim that he has got all

eligibility criteria for promotion to the post of Forest Range Officers in terms of the Tamil Nadu Forest Subordinate Service Rules. The petitioner would state that in terms of G.O.Ms.No.898 of the 1st respondent dated 17.10.1978, all Plot Watchers working in various places in Tamil Nadu were directed to be brought under regular establishment of the Forest Department and that the category of "Forest Watcher" shall be lowest category in the Forest Subordinate Service below the service of Forest Guard. Subsequently, vide G.O.Ms.No.215 and G.O.Ms.No.222 of the 1st respondent dated 02.06.1994 and 10.06.1992 respectively, orders have been issued for the purpose of regularising the services of Plot Watchers and Social Forest Workers by appointing them as Forest Watchers, Maali and Office Assistants and in this regard, cases were filed before the Tamilnadu Administrative Tribunal and the 1st respondent has issued G.O.Ms.No.64 dated 08.03.1999 wherein earlier orders in G.O.Ms.No.332 of the year 1994 has been revoked and further direction was issued to prepare consolidated Statewide Seniority List containing Plot Watchers, Social Forest Watchers, who were working on daily wages under the same category and the 2nd respondent has also called for list of eligible persons from all District Forest Offices in the State for giving them promotion from Forest Guard to Foresters vide proceedings dated 23.12.2014. With regard to the training to be undergone, some of the persons who were appointed by virtue of G.O.Ms.No.332 of the year 1994 have also filed WP.No.27827/2015. The petitioner, in this regard, has also submitted a representation dated 21.06.2015 praying for preparation of the Seniority List for the post of Forest Guard based on G.O.Ms.No.64 of the 1st respondent dated 08.03.1999 and since no orders have been passed, he came forward to file this writ petition.

3 This Court heard the submissions of the learned counsel for the petitioner and Mr.M.K.Subramaniam, learned Special Government Pleader [Forests], who accepts notice on behalf of the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 21.06.2015 in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Secretary to Government
Environment & Forest Department
Secretariat,
Chennai-9.
2. The Principal Chief Conservator of Forest
Head of Forest Force, Panagal Building
Saidapet,
Chennai 600 015.

1 CC to Mr.A.Tamilrajan, Advocate SR.No. 57842

1 CC to the Government Pleader, SR.No. 57990

W.P.No.33711/2015

SKV (CO)
PSI (02.11.2015)

WEB COPY