

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.12.2015

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THE HON'BLE Mr. JUSTICE K.KALYANASUNDARAM

W.P.No.39882 of 2015

M.D.Deena Dayala Moorthy

..Petitioner

versus

- 1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Environment and Forest Department,
Fort St. George, Chennai-9.
 - 2.The Chairman,
The Tamil Nadu Forest Uniformed Services
Recruitment Committee,
9th Floor, Panagal Building,
Saidapet, Chennai-15.
 - 3.The Principal Chief Conservator of Forest
and Head of Forest Force,
Panagal Building,
Saidapet, Chennai-15.
- ..Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondents to consider the petitioner's claim for appointment to the post of Forester by creating special quotas under dependent quota based on the G.O.Ms.No.834, Home (Police-III) Department, dated 10.09.2001 for Tamil Nadu Forest Uniformed Services Recruitment.

For Petitioner : Mr.K.Jenitha

For Respondents : Mr.S.Gunasekaran
Government Advocate
for R1 to R2
Mr.N.Inbanathan
Government Advocate (F) for R3

O R D E R

By consent of both sides, the main writ petition itself is taken up for final disposal.

2. The writ petition is filed to direct the respondents to consider the claim of the petitioner for appointment to the post of Forester by creating special quotas under dependent quota based on the G.O.Ms.No.834, Home (Police-III) Department, dated 10.09.2001 for Tamil Nadu Forest Uniformed Services Recruitment.

3.The case of the petitioner is that he is a postgraduate degree holder in Computer Application. The second respondent issued a notification calling for applications for appointment to the post of Forester, Forest Guard/Field Assistant by direct recruitment vide, Advertisement No.1/2014 dated 22.12.2014. In G.O.Ms.No.834, Home (Pol.III) Department, dated 10.09.2001, 10 seats were allotted for the wards/dependent category, which was also subsequently clarified by the Government letter dated 26.03.2002. But, in the present notification issued by the second respondent, there is no such reservation for wards/dependent of forest department persons and therefore, he made a representation on 05.05.2015 seeking quota to extend the similar benefit to the employee in the Forest Department. Since it was not considered, the present writ petition has been filed.

4.The learned counsel appearing for the respondents submitted that G.O.Ms.No.834, Home (Pol.III) Department, dated 10.09.2001 would apply only to the wards/dependants of serving ministerial staff of police department, which is not applicable to the forest department.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2 and the learned Government Advocate (F) appearing for the 3rd respondent.

6.Though the petitioner 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 05.05.2015 and pass orders on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order and also communicate the decision taken to the petitioner. Accordingly, this writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/
Sub Asst. Registrar

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To

- 1.The Secretary to Government,
Government of Tamil Nadu,
Environment and Forest Department,
Fort St. George,
Chennai-9.
 - 2.The Chairman,
The Tamil Nadu Forest Uniformed Services
Recruitment Committee,
9th Floor,
Panagal Building,
Saidapet,
Chennai-15.
 - 3.The Principal Chief Conservator of Forest
and Head of Forest Force,
Panagal Building,
Saidapet, Chennai-15.
- 1 cc to M/s.K. Jenitha, Advocate, sr. 68566

W.P.No.39882 of 2015

SCD (CO)
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