

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.41435 of 2016

R.Ponmudi

.. Petitioner

Vs

1 Government of Tamil Nadu
Rep. by its Secretary Environment and
Forest Department Fort St. George Chennai-
600 009.

2 The Principal Chief
Conservator of Forests Panagal Buildings
Saidapet Chennai-600 015.

3 The District Forest Officer
Thiruvannamalai South Division at
Thiruvannamalai.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents 1 to 2 to include the petitioners name in the state wide seniority list in the light of G.O.Ms.No.202 Environment and Forest Department dated 18.12.2013 so as to enable him to get his service regularised in the time scale of pay as Plot Watcher (supernumerary) within a time limit that may be stipulated by this Honourable Court.

For Petitioner :Mr.S.Mani

For Respondents :Mr.N.Inbanathan,
Govt. Advocate (Forest)

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents 1 to 2 to include his name in the state wide seniority list in the light

of G.O.Ms.No.202, Environment and Forest Department dated 18.12.2013 so as to enable him to get his service regularized in the time scale of pay as Plot Watcher (supernumerary) within a time limit that may be stipulated by this Court.

3. It is the case of the petitioner that though he joined the respondent Department as Plot Watcher in the year 2003, his name has not been included in the State-wide seniority list drawn by the department during 1999. In view of the same, his service was not regularized. In these circumstances, the petitioner submitted a representation dated 1.2.2016 to the respondents seeking regularization of his service. Since the same was not considered so far, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. Today, when the matter was taken up for consideration, learned counsel appearing for the petitioner placed reliance on G.O.Ms.No.202, Forest Department dated 18.12.2013 and submitted that in the said Government Order, the persons similarly situated like that of the petitioner were granted regularization i.e. those persons whose name were not included in the State-Wide seniority list as per G.O.Ms.No.64 dated 3.8.1999. The learned counsel would further submit that the petitioner would be satisfied, if a direction is given to the second respondent to consider and pass orders on the representation submitted by the petitioner dated 1.2.2016, within a stipulated period, by referring to the above Government Orders.

5. I have also heard the learned Government Advocate (Forest), who has taken notice on behalf of the respondents.

6. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioner, this Court directs the second respondent to consider the representation of the petitioner dated 1.2.2016 seeking regularization of his service and pass appropriate orders on merits in accordance with law and also in the light of the aforesaid facts and also the Government orders referred to above, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

sbi

To

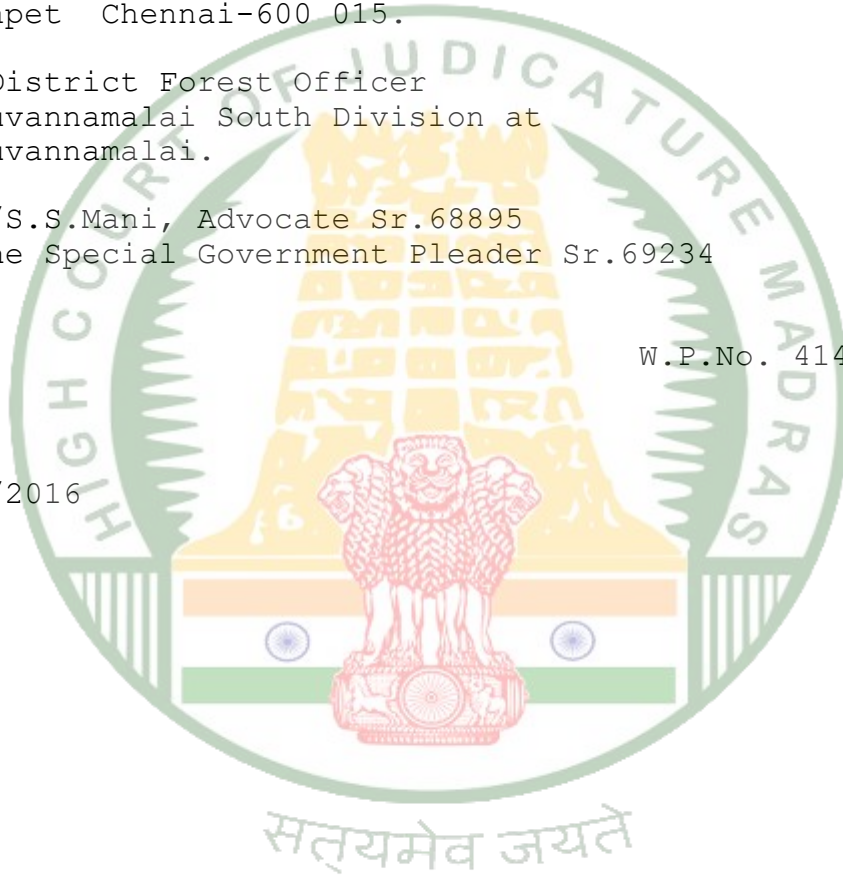
- 1 The Secretary Environment and
Forest Department Fort St. George Chennai-
600 009.
- 2 The Principal Chief
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- 3 The District Forest Officer
Thiruvannamalai South Division at
Thiruvannamalai.

+lcc to M/S.S.Mani, Advocate Sr.68895

+lcc to the Special Government Pleader Sr.69234

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srg 22/12/2016



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