

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.9749 to 9752 of 2014

M.Vanaja ... Petitioner in W.P.No.9749 of 2014
R.Venkataraman ... Petitioner in W.P.No.9750 of 2014
M.Murugasam ... Petitioner in W.P.No.9751 of 2014
E.MariyappanPetitioner in W.P.No.9752 of 2014

Vs.

1. The State of Tamil Nadu
Rep.by its Secretary,
Forest Department,
Fort St.George, Chennai-9.
2. The Principal Chief Conservator of Forests,
Pangal Maligai, Saidapet, Chennai. ..Respondents in 1&2 W.P's
3. S.Chandran,
Forest Guard, Palacode Range,
Dharmapuri District. ... R-3 in W.P.No.9749
of 2014
4. K.Ramalingam,
Forest Watcher, Anchetty Range,
Dharmapuri District. ... R-3 in W.P.No.9750 of 2014
5. N.Balakrishnan,
Forest Watcher, Okanekal Range,
Dharmapuri District.R3 in W.P.No.9751 of 2014
6. G.Perumal,
Forest Watcher,
Thenkanikottai Range,
Dharmapuri District ... R-3 in W.P.No.9752 of 2014

Prayer in W.P.No.9749 of 2014

The Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 2 to appoint the petitioner as Forest Watcher from the date on which the 3rd respondent was appointed as Forest Watcher and pay all arrears of Salary, seniority and other consequential benefits.

Prayer in W.P.No.9750 of 2014

The Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 2 to appoint the petitioner as Forest Watcher from the date on which the 3rd respondent was appointed as Forest Watcher and pay all arrears of Salary, seniority and other consequential benefits.

Prayer in W.P.No.9751 of 2014

The Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 2 to appoint the petitioner as Forest Watcher from the date on which the 3rd respondent was appointed as Forest Watcher and pay all arrears of Salary, seniority and other consequential benefits.

Prayer in W.P.No.9752 of 2014

The Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 2 to appoint the petitioner as Forest Watcher from the date on which the 3rd respondent was appointed as Forest Watcher and pay all arrears of Salary, seniority and other consequential benefits.

For Petitioners : Mr.K.Vasudevan

For R 1 and 2 in all W.P's : Mr.E.Manoharan,
Additional Government Pleader

For R3 in W.P.9750 of 2014 : Mr.R.Anbukarasu

For R3 in W.P.No.9749,9751
9752 of 2014 : No Appearance

C O M M O N O R D E R

As the issue involved in all the three Writ Petitions are one and the same, the cases are taken up for disposal by a Common Order.

2. The learned counsel appearing for the writ petitioners made a submission that, the issues are in relation to the implementation of Government Order Ms.No.64, Environment and Forest (F2) Department dated 08.03.1999 and the same has been considered by this Court in Writ Petition No.279 of 2014 and an order was passed on 09.01.2015, and for the sake of convenience, the same is extracted below:-

"5. There is no dispute that the name of the petitioner is included in the statewide seniority list. The counter affidavit filed by the second respondent fully supports the plea made by the petitioner. In case juniors were made permanent, nothing prevented the respondents from considering the case of the petitioner for regularization taking into account the Government order in G.O.Ms.No.64, Environment and Forest (F2) Department dated 08.03.1999.

6. In the result, a writ in the nature of Mandamus is issued, directing the respondents to consider the case of the petitioner for regularization in the light of seniority position as found in the statewide seniority list prepared on pursuant to the Government Order in G.O.Ms.No.64, Environment and Forest (F2) Department dated 08.03.1999. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

7. The Writ petition is allowed to the extent indicated above. No costs."

3. The learned Additional Government Pleader appearing on behalf of the respondents 1, 2 and 3 also submits that G.O.Ms.No.64, Environment and Forest (F2) Department dated 08.03.1999 is in force and the respondents are following the statewide seniority awarded in accordance with the said Government Order.

4. Thus, the respondents are directed to consider the case of the writ petitioners in the light of the G.O.Ms.No.64, Environment and Forest (F2) Department dated 08.03.1999 as per their respective seniority. With these observations, all the

Writ Petitions are disposed of. However, no order as to costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Secretary,
The State of Tamil Nadu
Forest Department,
Fort St.George, Chennai-9.

2. The Principal Chief Conservator of Forests,
Pangal Maligai, Saidapet, Chennai.

+1cc to Special Government Pleader (Forest) SR.No.73538

SDR 13.11.2017

Common Order
W.P.Nos.9749 to 9752 of 2014



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