

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 24.08.2017
CORAM:
THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
W.No.26862 of 2016
and W.M.P.No.23072 of 2016

Gandhi

...Petitioner

/versus/

- 1.State of Tamil Nadu, rep by
It's Secretary to the Government,
Environment and Forest Department,
Fort St. George,
Chennai - 9.
- 2.Principle Chief Conservator of Forest,
Panagal Building,
No.1, Jennis Road, Saidapet,
Chennai - 15.
- 3.Accountant General,
O/o.Accountant General,
Anna Salai,
Chennai.

...Respondents

Prayer: Writ petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents to include petitioner name before N.Srinivasan S.No.1111 in the State Wise Seniority List in S.No.5214 issued by the Government pursuant to GO No.95 E & F (Vanam 2) Department dated 07.08.2009 and consequently promote the petitioner as a Forest Guard and place his seniority above his junior and consequently direct the Respondents to count half of the service rendered by him as a Plot Watcher from 01.07.1989 till 18.12.2013, and when his service was regularized from 18.12.2013 to 29.02.2016 till the petitioner retired from service on attaining the age of superannuation as a qualifying service for pensionary benefits and send the revised proposal to the Accountant General for grant of pension with all other consequential monetary benefits.

For Petitioner	:	M/s.Selvi Goerge
For Respondents 1 and 2	:	Mr.M.Santhana Raman AGP(Forest)
For Respondent 3	:	M/s.J.Sree Vidhya

O R D E R

Though a larger relief is sought for in this Writ Petition with regard to the claim of the writ petitioner and for a direction to count half of the service rendered by him in the post of Plot Watcher, the learned counsel for the writ petitioner restricted the relief sought for in this writ petition by stating that it is suffice if a direction is issued to consider the representation submitted by the writ petitioner in this regard.

2. The writ petitioner was appointed as Plot Watcher on 01.07.1989 and thereafter his services were regularized with effect from 28.02.2006, on completion of 10 years of service. However, the service rendered by the writ petitioner in the temporary post of Plot Watcher has not been taken into account for the purpose of regularization and for other service benefits. In this regard, the writ petitioner has submitted representations to the Second Respondent, Principle Chief Conservator of Forest on 10.01.2016, 10.02.2016 and 15.06.2016.

3. Without going into the merits of the case, the second respondent is directed to consider the representations submitted by the writ petitioner on merits and in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copies of the aforesaid representations along with the order passed today in this writ petition to the second respondent.

4. In view of the above directions, this writ petition is disposed of. However, no order as to costs. Consequently, the connected Miscellaneous petition is closed.

सत्यमेव जयते

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rna

To

1. The Secretary to the Government,
Environment and Forest Department,
Fort St. George,
Chennai - 9.

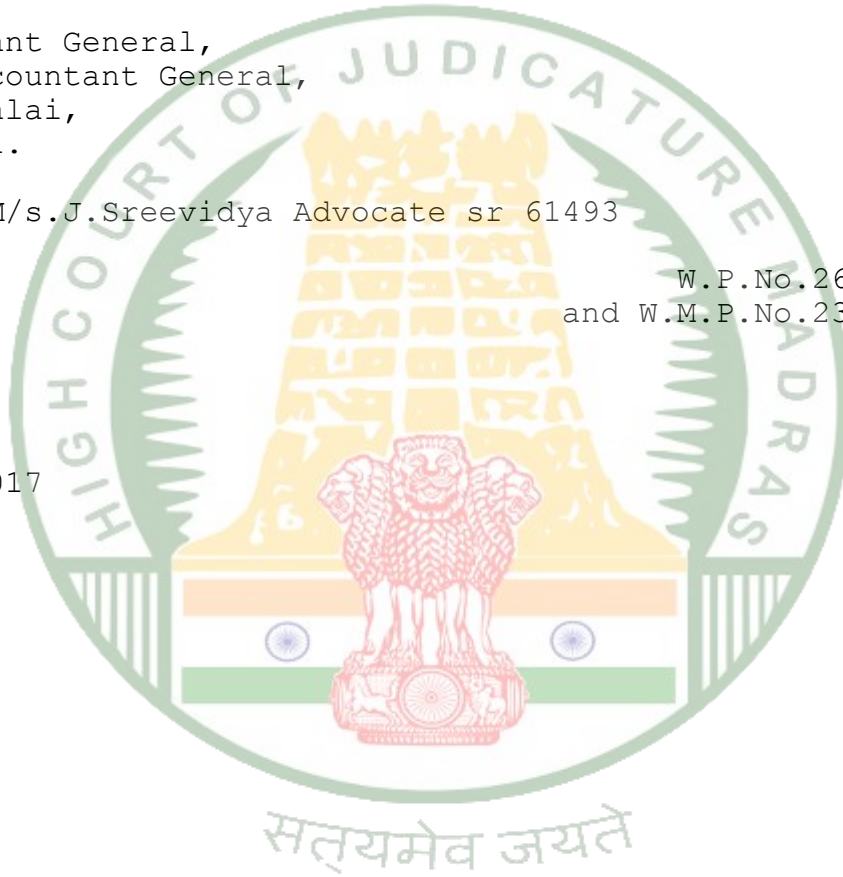
2.Principle Chief Conservator of Forest,
Panagal Building,
No.1, Jennis Road, Saidapet,
Chennai - 15.

3.Accountant General,
O/o.Accountant General,
Anna Salai,
Chennai.

+1 cc to M/s.J.Sreevidya Advocate sr 61493

W.P.No.26862 of 2016
and W.M.P.No.23072 of 2016

vd(co)
aa21/09/2017



WEB COPY