

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.27591 to 27594 of 2012

V.Ramlingam ... Petitioner in W.P.No.27591 of 2012
L.Selvaraj ... Petitioner in W.P.No.27592 of 2012
M.Athimoolam ... Petitioner in W.P.No.27593 of 2012
E.MuniappanPetitioner in W.P.No.27594 of 2012

Vs.

1. The State of Tamil Nadu
Rep.by its Secretary,
Environments and Forests (FR2) Department,
Fort St.George, Chennai.
2. The Principal Conservator of Forests,
Pangal Maligai, Saidapet, Chennai.
3. The Forest Ranger,
Social Forests, Cheiyar,
Tiruvannamalai District. ... Respondents in all W.P's

Prayer in W.P.No.27591 of 2012

The Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to implement the G.O.Ms. No. 64 dated 08.03.1999 and revise the scale of pay and pay with all arrears of salary from the date on which the petitioners junior was appointed as per G.O.Ms.No.64 dated 08.03.1999.

Prayer in W.P.No.27592 of 2012

The Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to implement the G.O.Ms. No. 64 dated 08.03.1999 and revise the scale of pay and pay with all arrears of salary from the date on which the petitioners junior was appointed as per G.O.Ms.No.64 dated 08.03.1999.

Prayer in W.P.No.27593 of 2012

The Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to implement the G.O.Ms. No. 64 dated 08.03.1999 and revise the scale of pay and pay with all arrears of salary from the date on which the petitioners junior was appointed as per G.O.Ms.No.64 dated 08.03.1999.

Prayer in W.P.No.27594 of 2012

The Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to implement the G.O.Ms. No. 64 dated 08.03.1999 and revise the scale of pay and pay with all arrears of salary from the date on which the petitioners junior was appointed as per G.O.Ms.No.64 dated 08.03.1999.

For Petitioner : Mr.K.Vasudevan

For Respondents : Mr.E.Manoharan,
Additional Government Pleader

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

sts/smn

To.

1. The Secretary,
Environments and Forests (FR2) Department,
Fort St.George, Chennai.

2. The Principal Conservator of Forests,
Pangal Maligai, Saidapet, Chennai.
Fort St.George, Chennai-9.

3. The Forest Ranger,
social forest, cheyyar
Tiruvannamalai District

+1 cc to M/SS.K.VASUDEVAN Advocate SR.NO. 73333

+1 cc to THE SPECIAL Government pleader SR.NO. 73535

Common Order

W.P.Nos.27591 to 27594 of 2012

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RD 10/11/2017