

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.6379 of 2018

1. Chandira, W/o Manickam
2. D.Shanthi
3. A.Papathi .. Petitioners

-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 Building, Saidapet
Chennai 600 015
3. The District Forest Officer
Thiruvannamalai North at Polur
4. The Conservator of Forest
Vellore Circle, Vellore-9 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 1 and 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 the petitioner to get their service regularised in the time scale of pay as Plot Watcher (Supernumerary) within a time limit that may be stipulated by this Hon'ble Court.

For Petitioners:: Mr.T.Sellapandian for Mr.S.Mani

For Respondents:: Mr.S.V.Vijayaprasanth
Additional Government Pleader
(Forest)

ORDER

The petitioners have been working as Assistant Cooks and Care Taker (Plot Watcher cadre) in the Forest Department on daily wage basis from 2001, 2006 & 1989 respectively. The

learned counsel for the petitioners submitted that the department has drawn up State-wide seniority list by including the daily wage workers engaged throughout the State making it as the basis for regularising their service. But the petitioners names were not included. Therefore, they have given representation on 6.1.2017 requesting the respondents to include their names in the State-wide seniority list so that they can get regular appointment as Plot Watcher (Supernumerary post). It is also stated that G.O.Ms.No.95, Environment and Forest Department dated 7.8.2009 and one another G.O.Ms.No.202, Environment and Forest Department dated 18.12.2013 have been issued to confer supernumerary post on regular time scale of pay to all the daily wage Plot Watchers who are included in the State-wide seniority list. Therefore, the respondents cannot refuse to consider the case of the petitioners, in the light of the aforementioned Government Orders.

2. The learned Additional Government Pleader for the respondents sought two weeks time to consider the case of the petitioners, as they are all working as on date.

3. This Court, considering the limited prayer, without going into the merits of the matter, hereby directs the first and second respondents to consider the case of the petitioners on the basis of their representation, in the light of the G.O.Ms.No.95, Environment and Forest Department dated 7.8.2009 and G.O.Ms.No.202, Environment and Forest Department dated 18.12.2013, and pass appropriate orders in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

ss

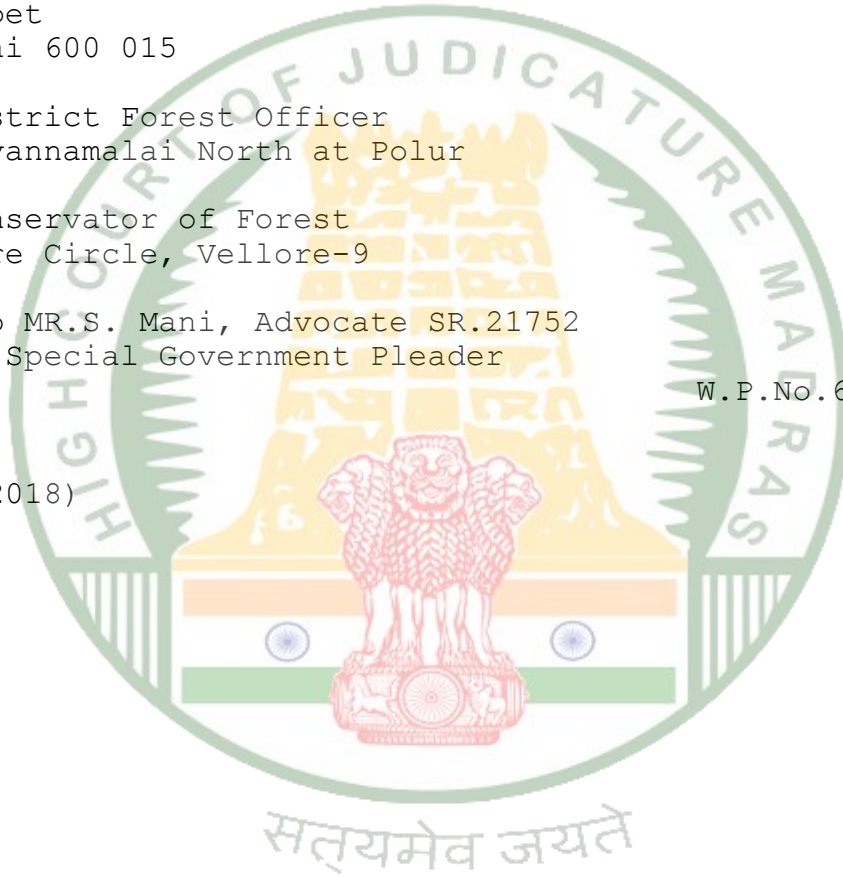
To

1. The Secretary to Government
Environment and Forest Department
Fort St.George
Chennai 600 009
2. The Principal Chief Conservator of Forests
Panagal Building
Saidapet
Chennai 600 015
3. The District Forest Officer
Thiruvannamalai North at Polur
4. The Conservator of Forest
Vellore Circle, Vellore-9

+ 2 ccs to MR.S. Mani, Advocate SR.21752
+ 1 cc to Special Government Pleader

W.P.No.6379 of 2018

NM(CO)
EU(10/04/2018)



WEB COPY