

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2018

Coram

The Hon'ble Mr. Justice Satrugana Pujahari

W.P.No.28843 of 2017

P.Natarajan

... Petitioner

Vs.

1. The 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,
Thiruvallur District, Thiruvallur.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a writ of mandamus directing the respondents to appoint the petitioner as regular time scale forest watcher taking into account of the seniority and qualification on par with the juniors in the light of the orders passed in W.P.No.15561 of 2006 dated 10.03.2008, W.A.No.690 of 2008, dated 13.10.2009, W.P.No.23374 of 2008, dated 30.10.2009, W.A.No.607 of 2010 dated 20.03.2010, and confer all consequential benefits based on the representation of the petitioner dated 27.07.2017 with effect from 24.01.1995.

For Petitioner: Mr. C.Prabakaran

For Respondents: Mr. K.K.Ramesh
Government Advocate

ORDER

Heard Mr. C.Prabakaran, the learned counsel appearing for the petitioner and Mr.K.K.Ramesh, the learned Government Advocate for the respondents.

2. The grievance of the petitioner, in this Writ Petition is that, though he was appointed as a Plot Watcher date back in 1982 on a daily wage basis, and thereafter, his service was regularized, but, during the course of regularisation, though his juniors have been regularized earlier, his service

has been regularized only at a later date. In this regard, he has made a representation to the respondents on 27.07.2017, with a prayer to regularize his service from the date, on which, his juniors were regularized. But, no action have been taken on the same, he has come to file this Writ Petition challenging such inaction of the respondents with a prayer seeking a writ of mandamus to the respondents to consider his representation within a stipulated period.

3. In spite of opportunities given, no counter affidavit has been filed so far. However, considering the fact that the Writ Petition is of the year 2017, and the petitioner has only sought for a direction to consider his representation within a stipulated period in accordance with law, in such premises, this Court is not inclined to adjourn the Writ Petition further, awaiting counter affidavit of the respondents, and after hearing the learned counsel appearing for the parties, disposes of the Writ Petition with a direction to the second respondent to consider the aforesaid representation of the petitioner, which is pending till date and take an informed and considered decision on the same in accordance with law, if there is no other legal impediments, for such disposal within a period of six weeks from the date of receipt of this order and communicate the same to the petitioner. No costs.

s/d-
Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

To

1. The Secretary,
Government of Tamil Nadu
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,
Thiruvallur District, Thiruvallur.

+1 CC to Spl. Govt. Pleader sr 47176.

+1 CC to Mr.C. Prabakaran, Advocate sr 47106.

W.P.No.28843 of 2017

SV(CO)

SP(11/08/2018)