

IN THE HIGH COURT OF JUDICATURE AT MADRAS

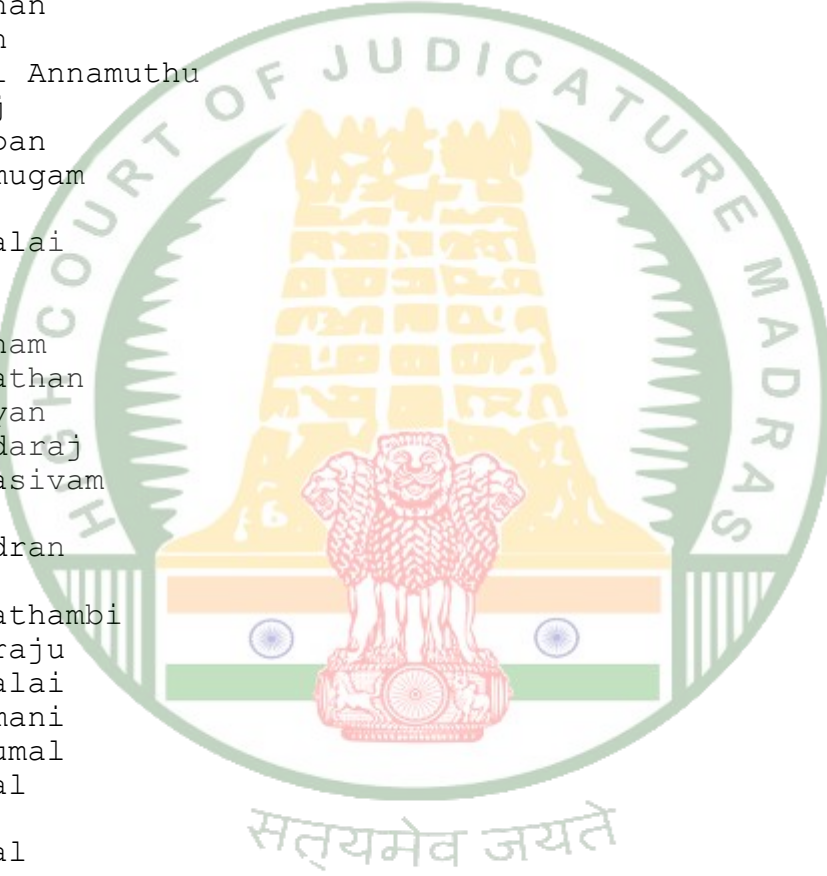
DATED : 03.07.2018

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.16201 of 2008 and
M.P.No.1 of 2008

1. A.Balaraman
2. T.Krishnan
3. G.Kannan
4. R.Thotti Annamuthu
5. R.Samraj
6. P.Ellappan
7. K.A.Arumugam
8. R.Kulli
9. D.Annamalai
10. R.Neela
11. S.Pattu
12. R.Rathinam
13. R.Saminathan
14. K.Senrayan
15. M.Govindaraj
16. V.Paramasivam
17. A.Settu
18. M.Rajendran
19. P.Mari
20. M.Chinnathambi
21. R.Selvaraju
22. C.Annamalai
23. N.Subramani
24. M.K.Perumal
25. K.Perumal
26. G.Rukku
27. N.Perumal
28. D.Subbraman
29. C.Chinnakkannu
30. K.Shanmugam
31. V.Vasantha
32. M.Man
33. A.Balaraman



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.. Petitioners

(All are working as consolidated paid employees in Final
leaning Operation in Sandalwood Depot, Thiruppattur,Vellore
District.)

Versus

1. State of Tamil Nadu,
rep. by its Secretary to Government,
Environment & Forests Department,
Secretariat, Chennai-9.
2. The Principal Chief Conservator of Forests,
Chennai-15.
3. The District Forest Officer,
Thiruppattur, Vellore District. .. Respondents

Prayer: This Writ petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the 1st respondent in his letter No.7481/Va.2/2005-15, Environment & Forests Department, dated 26.09.2007 and quash the same and direct the respondents to regularize the services of the petitioners from the date of appointment and confer all the consequential benefits.

For Petitioner : Mr.P.Ganesan for Mr.S.Mani

For Respondents : Mr.M.Santhanaraman
Additional Government Pleader

ORDER

The petitioners pray to issue a writ of certiorarified Mandamus to call for the records pertaining to the order passed by the 1st respondent in his letter No.7481/Va.2/2005-15, Environment & Forests Department, dated 26.09.2007 and quash the same and direct the respondents to regularize the services of the petitioners from the date of appointment and confer all the consequential benefits.

2.The learned counsel for the petitioners would submit that they were all working in the lower cadre post from 1970 on daily wage basis as Mazdoor. Thereafter, they were brought into consolidated pay of Rs.600/- per month by G.O.Ms.No.20, Environment & Forest Department, dated 06.01.1990. Thereafter, they are brought under the consolidated pay from 01.01.1989.

3. The learned counsel for the petitioners would further contend that the petitioners were not considered for the time scale of pay with that of similarly placed persons, working in various other departments such as Public Works Department, Highways Department etc., Since, the petitioners were not regularized, they have moved a petition to the Tamil Nadu Administrative Tribunal in O.A. No.661 of 2004. The Tribunal by

its order dated 16.02.2004, directed the Government to consider the representation of the petitioners dated 27.10.2003 and pass orders within a period of 12 weeks, from the date of receipt of a copy of that order.

4. The respondents have not implemented the said order of the Tribunal. Hence, the petitioners have filed Cont.P.No. 816 of 2007 wherein, the Government had rejected the claim of the petitioners and passed an impugned order dated 26.09.2007. Aggrieved against the said order dated 26.09.2007 the petitioners have come before this Court

5. Today, when the matter is taken up for hearing the Additional Government Pleader produced the G.O.(3D).No.12, dated 29.04.2008, Environment and Forests (FR-2) Department, wherein it is stated that the persons who have been working under the consolidated pay will be included in the state wise seniority list. In the said G.O it has been further stated by the Principal Chief Conservator of Forests that out of 33 consolidated wages workers of sandalwood depot at Tirupathur 10 persons already retired and 23 persons are in service at present and they have joined as mazdoors from the year 1970 to 1973 and they were all brought under consolidated wages in the year 1989. Hence, the Principal Chief Conservator of Forests has proposed to include the Sandal wood workers working at present in the state wide seniority list of plot watchers and Village Social Forestry Workers as per orders in G.O.Ms.No.64, Environment and Forest Department, dated 08.03.1999. After careful consideration and examination of the representation of all the said workers the Government had decided to include 23 consolidated wage workers of Sandalwood Depot at Thirupathur in the state wide seniority list of plot watchers and social forestry workers for eventual regularization as forest watcher as and when vacancies arises as per seniority.

6. Based on the above said Government Order it is found that the petitioners have been regularized in the service hence, nothing survives in this writ petition for further adjudication. Accordingly, this writ petition stands dismissed as infructuous. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

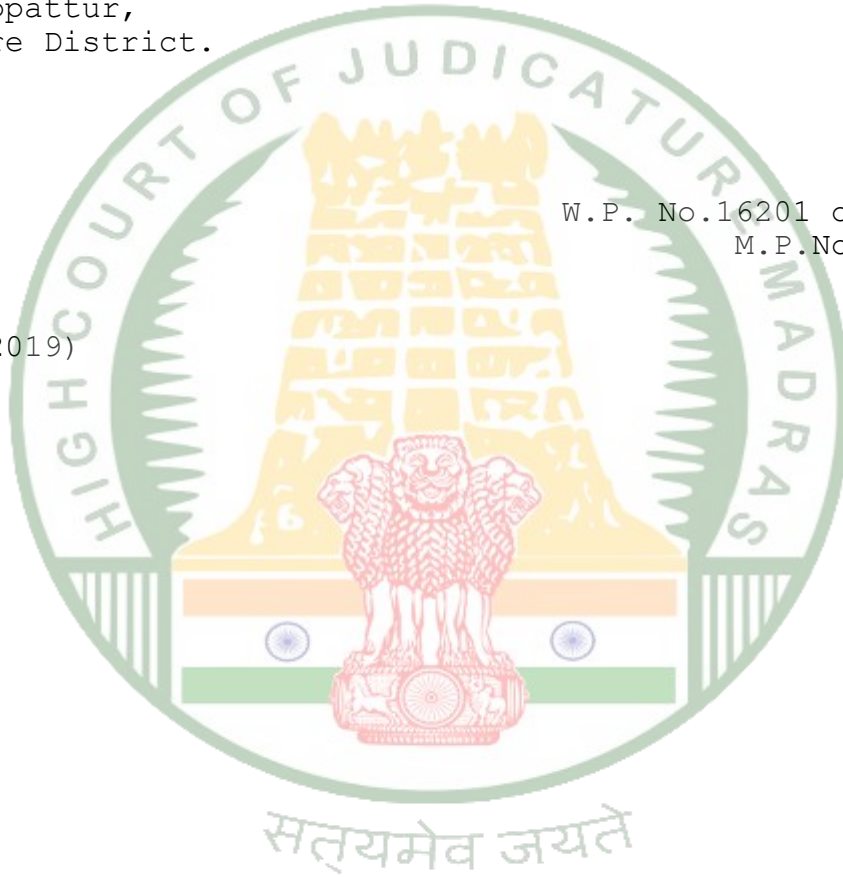
smn

To

1. State of Tamil Nadu,
Rep by it Secretary to Government
Environment & Forests Department,
Secretariat, Chennai-9.
2. The Principal Chief Conservator of Forests,
Chennai-15.
3. The District Forest Officer,
Thiruppattur,
Vellore District.

W.P. No.16201 of 2008 and
M.P.No. 1 of 2008

PM(CO)
SP(11/02/2019)



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