

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 07.06.2018****CORAM****THE HONOURABLE MR.JUSTICE M.DHANDAPANI****W.P.No.13407 of 2006****And****W.P.M.P.Nos.14965 and 14966 of 2006**

The Tamil Nadu Forest Department
Drivers' Association,
Principal Chief Conservator of Forest Office Complex,
Panagal Buildings,
Chennai – 600 015.
[Affiliated to Government Departments Drivers' Association],
represented by its State President,
T.Jayakodi. ... Petitioner

Vs.

1. Government of Tamil Nadu rep.,
by its Secretary to Government,
Environment and Forests Department,
Fort St.George,
Chennai – 600 009.
2. The Principal Chief Conservator of Forests,
Panagal Buildings,
Chennai – 600 015. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records in G.O.Ms.No.188, Environment and Forests [FR.II] department, dated 05.10.2005 of the first Respondent and the proceedings of the second Respondent in Ref.No.AB2/46473/03 dated 08.02.2006, quash the same to the limited extent of the direction to employ the direct recruit

of Forest Guards (cum Drivers) to man the 78 years jeeps to be allotted to territorial ranges, wherein senior regularized jeep drivers are already working and to direct the Respondents to desist from causing any displacement or dislocation to the regularized drivers working in various territorial ranges by posting direct recruit Forest Guards in their post.

For Petitioner : Mr.Ravi

For Respondents : Mr.M.Santhanaraman

Additional Government Pleader (Forests)

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records of the first Respondent in G.O.Ms.No.188, Environment and Forests [FR.II] Department, dated 05.10.2005 and the proceedings of the second Respondent in Ref.No.AB2/46473/03 dated 08.02.2006, to quash the same to the limited extent of the direction to employ the direct recruit of Forest Guards (cum Drivers) to man the 78 years jeeps to be allotted to territorial ranges, wherein senior regularized jeep drivers are already working and to direct the Respondents to desist from causing any displacement or dislocation to the regularized drivers working in various territorial ranges by posting direct recruit Forest Guards in their post.

2.Mr.Ravi, the learned counsel appearing for the petitioner would submit that the impugned G.O.Ms.No.188, Environment and Forests [FR.II] Department, dated 05.10.2005, was passed for the purchase of 225 jeeps and for recruiting 225 Forest Guards with driving licences to man the above said 225 jeeps. If the Government Order is allowed to continue, 78 senior most jeep Drivers working in 78 Ranges as casual labourers would be displaced. Hence this writ petition has been filed.

3.However, the learned counsel appearing for the petitioner fairly conceded that in the absence of any interim order, the Government Order was implemented by appointing 190 Forest Guards and the remaining vacancies are available for considering the regularization of the petitioners.

4.Mr.M.Santhanaraman, learned Additional Government Pleader (Forests), produced a copy of the letter from the Principal Chief Conservator of Forests (Head of Forest Force), Panagal Maligai, Saidapet, Chennai - 600 015, addressed to the learned Special Government Pleader (Forests) in Ref.No.S2/47665/2006, dated 06.06.2018, in which it is stated that in G.O.(Ms) No.188, Environment and Forests [FR.II] Department, dated 05.10.2005, orders have been

issued for creation of 225 posts of Forest Guards with driving licence out of which 190 numbers have been filled up by direct recruitment.

5.The learned Additional Government Pleader (Forests) citing the above said letter dated 06.06.2018, submitted that the petitioner Association has already filed W.P.No.4439 of 2006 and in compliance of the order of this Court dated 25.08.2008, passed in the said writ petition, 190 numbers of posts of Forest Guard with driving licence out of the 225 posts have been filled up and a proposal for filling up of vacancies by regularizing the services of the 34 temporary Drivers in the Department have been sent to the Government in PCCF, Ref.No. S2/20972/2014, dated 25.05.2018 and the Government is yet to take a decision for regularization of their services and two temporary Drivers were already regularized.

6.The said statement of the learned Additional Government Pleader (Forests) and the copy of the letter dated 06.06.2018 are taken on record. In view of the above, this Court directs the first respondent to take a decision on the proposal sent by the second respondent dated 25.05.2018, within a period of three months from the date of receipt of a copy of this order.

7.With the above direction, this writ petition is closed. No costs.
Consequently, the connected miscellaneous petitions are also closed.

07.06.2018

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

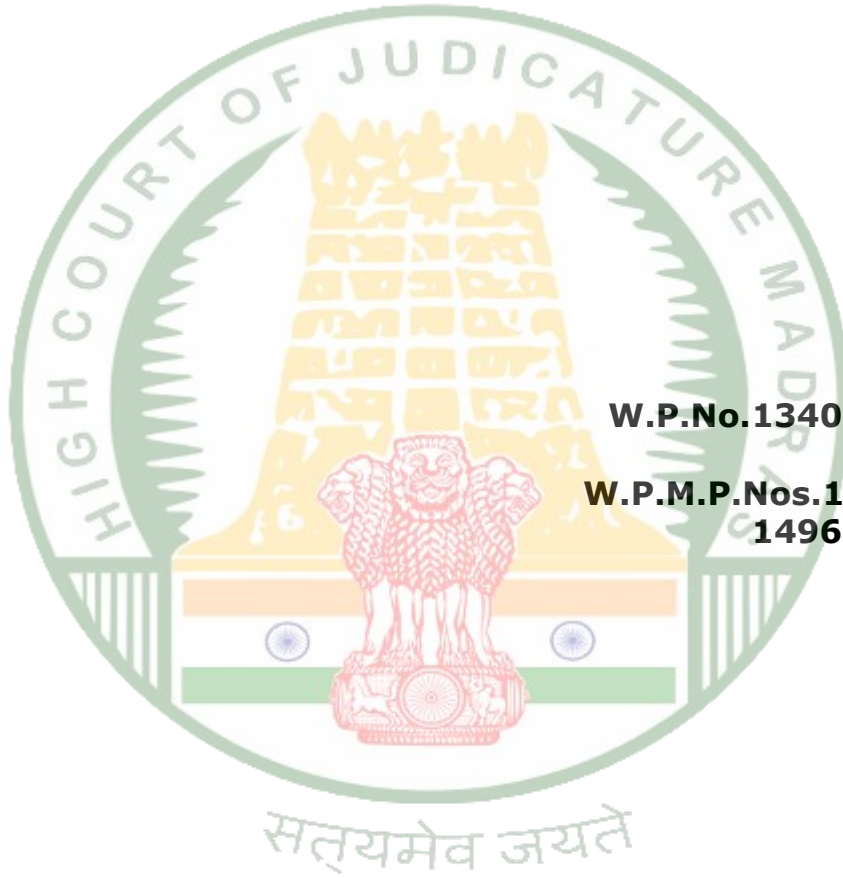
To

- 1.The Secretary to Government,
Environment and Forests Department,
Fort St.George,
Chennai – 600 009.
- 2.The Principal Chief Conservator of Forests,
Panagal Buildings,
Chennai – 600 015.



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M.DHANDAPANI,J.
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