



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)Nos.8612 to 8621 of 2018

CHANDRABOSE

S/O.MUTHAIYA THEVAR,
ARUNGULAM, RARTHIBANUR (POST),
PARAMAKUDI (TALUK),
RAMNAD DISTRICT.

... Petitioner in W.P.(MD).8612 of 2018

V.THANGASAMY,

S/O.VEERAAIAH,
17/42, VELLALAR STREET,
WEST BANK, MANAMADURAI,
SIVAGANGAI DISTRICT.

... Petitioner in WP(MD). 8613/ 2018

LILLY JOSEPH MARY,

D/O. SUSAI, GYATRI ILLAM,
LOORTHU NAGAR 3RD CROSS STREET,
K.PUDUR, MADURAI,
MADURAI DISTRICT.

... Petitioner in WP(MD). 8614/ 2018

KANDASAMY,

S/O.RAMAN, CHINA POOLAMPATTI,
PERAYUR (TK),
MADURAI DISTRICT.

... Petitioner in WP(MD). 8615/ 2018

P.NAGATHEVAN,

S/O.PERIYAKARUPPA THEVAN,
ARASARADI, THARAMATHU PATTI MAIN ROAD,
VIRU VEEDU (PO) NILAKOTTAI (TK),
DINDIGUL DISTRICT.

... Petitioner in WP(MD). 8616/ 2018

T.M.KASIMAYAN,

S/O.MAYAN, THIMMANATHAM,
THIMMA NATHAM PO.,
USILAMPATTI TALUK,
MADURAI DISTRICT.

... Petitioner in WP(MD). 8617/ 2018

V.SELVAM,

S/O. VIRUMANDI THEVAR,
M.KURUMBAPATTI, MALLANAM PATTI POST,
NILAKOTTAI TALUK,
DINDIGUL DISTRICT.

... Petitioner in WP(MD). 8618/ 2018



U.UMADURAI,
S/O.URI NAYAKAR, USILAMPATTI,
KODANGI PATTI (PO),
VADIPATTI (TK),
MADURAI DISTRICT.

... Petitioner in WP(MD). 8619/ 2018

M.MALAISAMY,
S/O.MUTHU SERVAI,
KEELAKANDANI (PO),
M.MANAKKARAI,
SIVAGANGAI DISTRICT.

... Petitioner in WP(MD). 8620/ 2018

SIVASAMY,
S/O.ARJUNA THEVAR,
SENGOTTAI, KEELA PASALI,
MANAMADURAI,
SIVAGANGAI DISTRICT.

... Petitioner in WP(MD). 8621/ 2018

Vs.

1.Government of Tamil Nadu,
rep. by its Secretary to Government,
Forest and Environment Department,
Fort St. George,
Chennai - 600 009.

2.The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai - 600 015.

... Respondents in all WPs

COMMON PRAYER : These Writ Petitions are filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, to direct the respondents to regularise the petitioners as Regular Time Scale Forest Watchers taking into account of their seniority and qualification on par with their juniors by considering their representations dated 14.06.2017, 22.04.2017, 22.03.2017, 19.12.2016, 28.11.2016, 23.12.2016, 28.12.2017, 19.12.2016, 09.03.2017 & 14.06.2017 respectively, in the light of the order passed in W.P.No.15561 of 2006 dated 10.03.2008, W.A.No.690 of 2008 dated 13.10.2009 and W.P.No.23374 of 2008 dated 30.10.2009 and W.A.No.607 of 2010 dated 29.03.2010 and confer all consequential benefits.

For Petitioners : Mr.G.Chandrasekar (In all WPs)
For Respondents : Mr.M.Murugan, G.A. (In all WPs)

C O M M O N O R D E R

The prayer sought for herein is for a writ of Mandamus, directing the respondents to regularise the petitioner as Regular Time Scale Forest Watchers taking into account of his seniority and



qualification on par with his juniors by considering their representations dated 14.06.2017, 22.04.2017, 22.03.2017, 19.12.2016, 28.11.2016, 23.12.2016, 28.12.2017, 19.12.2016, 09.03.2017 and 14.06.2017 respectively, in the light of the order passed in W.P.Nos.15561 of 2006 dated 10.03.2008, W.A.No.690 of 2008 dated 13.10.2009 and W.P.No.23374 of 2008 dated 30.10.2009 and W.A.No.607 of 2010 dated 29.03.2010 and confer all consequential benefits.

2.Since the petitioners in all these petitions are similarly placed and they seek for a similar relief, all these writ petitions, with the consent of both sides, are disposed of by this common order.

3.Heard Mr.G.Chandrasekar, learned counsel appearing for the petitioners and Mr.M.Murugan, learned Government Advocate appearing for the respondents in all these petitions.

4.According to the learned counsel for the petitioners, these petitioners were working as Forest Watcher for long years without getting regularisation and thereafter, having been considered were regularised by the respondents. Presently, the grievance of the petitioners is that though they have been regularised, their date of regularisation is subsequent to the regularisation of juniors. Therefore, they seek regularisation from the date, where the juniors got regularised in the very same post. In this regard, they made separate representation by each of the petitioners on 14.06.2017, 22.04.2017, 22.03.2017, 19.12.2016, 28.11.2016, 23.12.2016, 28.12.2017, 19.12.2016, 09.03.2017 and 14.06.2017 respectively. Therefore, the learned counsel appearing for the petitioners would submit that if the representations made by the petitioners seeking the said relief from the respondents are directed to be considered by the respondents based on the earlier orders passed by the Court on the very same issue and an order to that effect is directed to be passed within a time frame that may be stipulated by this Court, all these petitioners would be satisfied.

5.I have heard the learned Government Advocate, who would submit that the representations individually given by each of the petitioners in this batch of cases shall be considered by the second respondent on merits and in accordance with law, considering the earlier orders in this regard passed by this Court in a number of case and an order to that effect shall be passed within a reasonable time that may be fixed by this Court.

6.Considering the said submission made by both sides, all these writ petitions are disposed of with the following direction:

"The second respondent is hereby directed to consider the representations submitted by each of the petitioners on the respective dates mentioned above on merits and in accordance with law by taking into account



the earlier orders passed by this Court in this regard and pass orders thereon, within a period of eight weeks from the date of receipt of a copy of this order."

7. With the above direction, these writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Government of Tamil Nadu,
Forest and Environment Department,
Fort St. George,
Chennai - 600 009.

2. The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai - 600 015.

+1cc to Special Government Pleader, SR.No. 62487

W.P (MD) Nos. 8612 to 8621 of 2018
19.04.2018

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JM/RSK/SAR 2/11.05.2018/4P/4C