

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.11355 of 2015

G.Rajendran

... Petitioner

Vs

1. The Government of Tamil Nadu,  
Rep. by its Principal Secretary,  
Environmental and Forest Department,  
Fort St.George,  
Chennai - 9.
  2. The Principal Chief Conservator of Forests,  
Head of Forest Force,  
No.1, Geenies Road, Panagal Maligai,  
Saidapet, Chennai - 15.
  3. The District Forest Officer,  
Harur Forest Division,  
Harur, Dharmapuri District.
- ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to regularize the petitioner's service as Driver in the 3<sup>rd</sup> respondent division on completion of 10 years on bar with other similarly placed persons and pay all monetary other service benefits based on the recommendation of the 3<sup>rd</sup> respondent dated 09.12.2014 and 23.12.2014 respectively in proceedings Na.Ka.No.7733/2014/Pa.2.

For Petitioner : Mr.R.Jaya Prakash

For Respondents : Mr.Thanga Vadhana Balakrishnan,  
Additional Government Pleader (F)

O R D E R

The petitioner has filed the present writ petition seeking for issue of writ of Mandamus directing the respondents to regularize his service as driver in the third respondent division on completion of 10 years, on par with other similarly placed persons and pay all monetary and other service benefits.

2. The grievance of the petitioner is that though he was appointed as early as on 01.04.1995 as Plot Watcher cum Driver, he was not absorbed to regular service on time scale of pay till the date. Therefore, he seeks such benefit from the date of completion of his 10 years of service. Ventilating such grievance, the petitioner has already made a representation dated 01.09.2008, before the respondents. Since no action was forthcoming, the petitioner is before this Court.

3. The learned Additional Government Pleader appearing for the respondents submitted that the claim made by the similarly situated persons are being considered by the Department batch by batch and therefore, the petitioner's grievance will also be looked into within a short time. Therefore, she seeks time to dispose of the petitioner's representation.

4. Considering the fact that the petitioner made such representation as early as on 01.09.2008 and as it is stated that the respondents are considering the similar grievance expressed by the similarly situated persons batch by batch, this Court is of the view that without loss of any further time, the second respondent shall consider the grievance of the petitioner and pass appropriate orders by taking note of the case of the similarly situated persons.

5. Accordingly, this Writ Petition is disposed of by directing the second respondent to consider the claim of the petitioner and pass orders on the same, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-  
Assistant Registrar

//True Copy//

gsi/gsk

सत्यमेव जयते Sub Assistant Registrar

To

1. The Principal Secretary,  
The Government of Tamil Nadu,  
Environmental and Forest Department,  
Fort St.George,  
Chennai - 9.
2. The Principal Chief Conservator of Forests,  
Head of Forest Force,  
No.1, Geenies Road, Panagal Maligai,  
Saidapet, Chennai - 15.

3. The District Forest Officer,  
Harur Forest Division,  
Harur, Dharmapuri District.

+1 cc to M/s.R.Jayakumar, Advocate, S.R.No.21037

+1 cc to the Special Government Pleader, S.R.No.20648

W.P.No.11355 of 2015

KJ(CO)  
SSM(03/04/2019)



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