

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :02.04.2019
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.2539 of 2019

A.Sakthivel

.. Petitioner

..vs..

1.The District Forest Officer,
Villupuram District.

2.The Divisional Forest Officer,
Social Forestry Division,
Kallakurichi, Villupuram District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to forthwith issue an order of posting to the petitioner as Plot Watcher (Supernumerary) on the basis of the Order passed by the first respondent in G.O. (3D) No.13, Forest Department dated 26.03.2018 and the order of allotment bearing reference Na.Ka.No.LL.2/6038/2013 dated 11.04.2018 passed by the Principal Chief Conservator of Forest, within a time limit that may be fixed by this Court.

For Petitioner : Mr.T.Sellapandian
for M/s.S.Mani

For Respondents: M/s.Thanga Vadhana Balakrishnan
Additional Government Pleader (Forest)

ORDER

The relief as such sought for in the present writ petition is for a direction to direct the respondents 1 and 2 to forthwith issue an order of posting to the petitioner as Plot Watcher (Supernumerary) on the basis of the Order passed by the first respondent in G.O. (3D) No.13, Forest Department dated 26.03.2018 and the order of allotment bearing reference Na.Ka.No.LL.2/6038/2013 dated 11.04.2018 passed by the Principal Chief Conservator of Forest.

2. The learned counsel appearing on behalf of the writ petitioner made a submission that the writ petitioner was initially appointed as Plot Watcher in the Forest Department on 20.06.1992, on daily wage basis. On account of the length of services rendered, the case of the writ petitioner was

considered for permanent absorption in a sanctioned post of Plot Watcher (Supernumerary).

3. The grievances of the writ petitioner is that an order of appointment was issued in favour of the writ petitioner, however no posting order was issued relying on the order of appointment.

4. The learned counsel for the writ petitioner states that now the respondents cannot deny the posting order, in view of the fact that the order of appointment was issued in proceedings of the Government order.

5. The learned Additional Government Pleader appearing on behalf of the respondent states that the service records of the writ petitioner was manipulated with the connivance of some officials of the department and the disciplinary actions were also initiated against such persons for all such manipulations. The writ petitioner in connivance with the other persons in the department, manipulated the service records in order to satisfy the requirement of completion of 10 years of service as daily wage Plot Watcher (Supernumerary). When the authorities had identified manipulations, actions were initiated against all such persons who all are responsible and for this reason the posting order has not been issued to the writ petitioner.

6. The service particulars of the writ petitioner is tabulated in the counter affidavit filed by the Divisional Forest Officer, Kallakurchi. As per the tabulation now filed before this Court, the writ petitioner had not completed 10 years of service which is a requisite experience for the purpose of permanent absorption in the sanctioned post of Plot Watcher (Supernumerary).

7. This being the factum of the case, the relief as such sought for in the present writ petition cannot be granted as the writ petitioner has not established any acceptable legal grounds for the appointment to the post of Plot Watcher (Supernumerary) in a regular sanctioned post.

8. Accordingly, the present writ petition is devoid of merits and stands dismissed. No costs.

Sd/-

Assistant Registrar(Insp.cell)

//True Copy//

Sub Assistant Registrar

Pns

To

1.The District Forest Officer,
Villupuram District.

2.The Divisional Forest Officer,
Social Forestry Division,
Kallakurichi, Villupuram District.

+1 cc to Mr.S.Mani, Advocate, Sr.No. 31865

+1 cc to The Government Pleader, Sr.No. 31817

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SSI (CO)
CSL/02.05.2019



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