

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05/11/2019

C O R A M

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.25131 of 2013

S.Velu

...Petitioner

Vs

1. State of Tamil Nadu,
rep. by its Secretary,
Forest Department, Fort St.George, Chennai-9.
2. The Principal Chief Conservator of Forests,
Panagal Building, Saidapet, Chennai.

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for the issuance of Mandamus, directing the respondents to extend the benefits of the order passed by the Hon'ble Division Bench in W.A.No.887 of 2011 dated 29.04.2011 which was implemented in G.O.Ms.No.140 Environment and Forests (FR-2) Department, dated 30.05.2012.

For petitioner ... Mr.M.R.Jothimanian

For respondents ... Mr.M.Elumalai, G.A. for R1 & R2

O R D E R

The learned counsel for the petitioner and the respondents agree that the issue arisen in the instant writ petition is squarely covered by the order dated 30.10.2017 in WP.No.21091 of 2014, this Court observed as under:-

"3.Accordingly, a large number of eligible persons who had completed 10 years of service as temporary Plot watchers, were brought under the regular establishment. Thereafter, the Government relaxed the qualification of 10 years of service also. Thus, it is clear that the persons who have served as temporary Plot watchers are brought under the regular establishment to the post as per their Statewide seniority list .

4.The learned Additional Advocate General appearing for the respondents made a submission that the permanent observation of these temporary employees into the regular establishment is subject to the

acquisition of required qualifications by the employees under the rules. In this regard, this Court is of the opinion that fulfilling of the requisite qualification under the rules are certainly mandatory and the respondents are at liberty to verify the respective service records of this petitioner's and accordingly, issue appropriate orders.

5.Thus, the respondents are directed to consider the case of the writ petitioner in accordance with the Statewide seniority and by verifying his service records and qualifications and thereafter, issue appropriate orders within a period of 12 weeks from the date of receipt of copy of this order."

2. The instant writ petition is disposed of in the light of the directions made in the above said judgment. The respondents are therefore directed to consider the case of the writ petitioner in accordance with the state-wide seniority and by verifying his service records and qualifications and thereafter, issue appropriate orders within a period of 12 weeks from the date of receipt of a copy of this order. Writ petition is disposed of. No Costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

Pkn.

To

1. Secretary,
State of Tamil Nadu,
Forest Department, Fort St.George, Chennai-9.

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

+1 CC to Mr.M.R.Jothimanian, Advocate sr 91738

+1 CC to The Spl. Government. Pleader (Forest) sr 91897.

W.P.No.25131 of 2013

EV (CO)
SP (09/12/2019)