

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2019

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Appeal Nos.1633 & 1634 of 2016 and
C.M.P.Nos.20295 & 20296 of 2016

- 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-15. ... Appellants in both cases

Vs.

C.Lakshmanan ... Respondent in W.A.No.1633 of 2016

P.Krishnan ... Respondent in W.A.No.1634 of 2016

Writ Appeals filed under Clause 15 of the Letters Patent
against the common order dated 25.09.2014 in W.P.Nos.26457 and
26459 of 2014 passed by this Court.

Prayer in Both Writ Petitions : Writ Petition filed under
Article 226 of the Constitution of India praying to issue a Writ
of Mandamus Directing the 1st and 2nd Respondents to regularize
the service of the petitioner in the cadre of Forest Watcher on
par with their juniors with all consequential service benefits
after getting necessary relaxation from the first Respondent
with regard to the shortage of height of the petitioner.

Prayer in WP.No.26459 of 2014 :
For Appellants in both cases : No appearance

For Respondents in both cases : Ms.Selvi Rajan
for M/s.P.Rajan

COMMON JUDGMENT

(Order of the Court was made by K.K.SASIDHARAN, J.,)

None appears on behalf of the appellants. Heard the learned counsel for the respondents.

2. The learned single Judge notwithstanding the Rule Position that the applicants for appointment to the post of forest watcher must have 163 cms height, directed appointment of the respondents notwithstanding that they were not having the required height. The said order is under challenge at the instance of the State.

3. The issue raised herein is squarely covered by the Judgment of this Court dated 16.07.2018 in W.A.Nos.1578 of 2014 etc., [The Principal Chief Conservator of Forests, Head of Forest Force, Panagal Maaligai, Saidapet, Chennai - 15 and others Vs. M.Easwaran and others].

4. This Court made it very clear that there is no question of relaxation in the qualification relating to height. In view of the categorical finding given by the Division Bench, there is no need for a further adjudication of the issue in these Appeals.

5. The common order dated 25.09.2014 made in W.P.Nos.26457 and 26459 of 2014 is set aside. The Intra-Court appeals are allowed. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government, Government of Tamil Nadu, Forest and Environment Department, Fort St. George, Chennai-9.
2. The Principal Chief Conservator of Forests, Panagal Building, Saidapet, Chennai-15.

+1 cc to The Special Government Pleader(Forest), Sr.No.58783

AKM/27.09.19/2P-4C /

Writ Appeal Nos.1633 & 1634 of 2016 and
C.M.P. Nos.20295 & 20296 of 2016