

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.18473 of 2019

M.Muniswamy

..Petitioner

vs

1.The State of Tamil Nadu
Rep. by its Secretary to Government
Environment and Forest Department
Fort. St. George
Chennai.

2.The Principal Chief Conservator of Forest
Panagal Building
Saidapet, Chennai-15.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to appoint and promote the petitioner as Forest Watcher with effect from the date of his juniors appointment and promotion by considering the petitioner's representation dated 09.08.2018 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, W.P.No.23374 of 2008 dated 30.10.2009, W.A.No.607 of 2010 dated 29.03.2010 and 1st respondent in his Government Letter No.24184/FR 2-(II)/2017-1 dated 14.05.2018 with all consequential benefits.

For Petitioner : Ms.Dharani T.

For Respondents : Mr.M.Elumalai
Government Advocate

O R D E R

Writ Petition is filed for issuance of Writ of Mandamus directing the respondents to appoint and promote the petitioner as Forest Watcher with effect from the date of his juniors appointment and promotion by considering the petitioner's

representation dated 09.08.2018 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, W.P.No.23374 of 2008 dated 30.10.2009, W.A.No.607 of 2010 dated 29.03.2010 and 1st respondent in his Government Letter No.24184/FR 2-(II)/2017 dated 14.05.2018 with all consequential benefits.

2. Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents.

3. The case of the petitioner is that he joined in service in the year 1981 as Plot Watcher. After rendering 20 years, the petitioner was brought into the regular time scale of pay in the cadre of Forest Watcher in the year 2004. In the year 2010, the petitioner was promoted as Forster Guard. In the year 1994, the Government issued G.O.Ms.No.332, Environment and Forest Department, dated 22.12.1994 imposing a new condition of a Pass in S.S.L.C. for holding regular post of Forest Watcher. The said condition was challenged before the Tamil Nadu Administrative Tribunal in O.A.No.199 of 1995. During pendency of the said O.A., the Government restored the qualification of ability to read and writ in Tamil instead of a Pass in S.S.L.C. vide order dated 08.03.1999 for preparation of State Wide Seniority List. The petitioner has sent representations repeatedly for fixing his seniority. At last, the petitioner has made a representation to the 2nd respondent dated 09.08.2018. However, the petitioner's representation was not considered by the respondents till date. Hence this writ petition.

4. Learned counsel appearing for the petitioner submitted that it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation and pass appropriate orders within the reasonable time.

5. Learned Government Advocate appearing for the respondents has also conceded the request made by the learned counsel for the petitioner.

6. Considering the limited request made by the learned counsel appearing for the petitioner, this Court hereby directs the respondents to consider the petitioner's representation dated 09.08.2018 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. The writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The State of Tamil Nadu
Rep. by its Secretary to Government
Environment and Forest Department
Fort. St. George
Chennai.

2.The Principal Chief Conservator of Forest
Panagal Building
Saidapet, Chennai-15.

+1cc to Government Pleader (Forest) SR.NO.
+1cc to M/s.T.Dharani, Advocate sr.93001

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bs(co)
nr 19/12/2019

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