

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.18592 of 2019

G.Narasiman

..Petitioner

vs

1.Government of Tamil Nadu
Rep. by its Secretary
Environment and Forest Department
Fort St. George
Chennai-600 009.

2.The Principal Chief Conservator of Forests
Panagal Building
Saidapet, Chennai-600 015.

3.The District Forest Officer
Chennai Division, Chennai.

... 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 the petitioner as regular time scale Forest Watcher taking into account of the seniority and qualification, on par with the juniors in the light of the orders 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 and proceedings of the 2nd respondent dated 07.01.2011 and confer all consequential benefits based on petitioner's representation dated 04.12.2018 with effect from 24.01.1995.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.M.Elumalai
Government Advocate

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus directing the respondents to appoint the petitioner as regular time scale of Forest Watcher taking into account of the seniority and qualification, on par with the juniors in the light of the orders 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 and proceedings of the 2nd respondent dated 07.01.2011 and confer all consequential benefits based on petitioner's representation dated 04.12.2018 with effect from 24.01.1995.

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 was appointed as a Social Forestry worker/Plot Watcher in the respondents department in the year 1983. He is working as Plot Watcher till 2009 on daily wage basis. Thereafter, the petitioner was brought under regular time scale of pay of Plot Watcher, which is a cadre post, in the year 2009. He was promoted as a Forest Watcher in the year 2017 from the post of Plot Watcher. He was placed in the seniority list, however his juniors were promoted. Though the petitioner is entitled to get promotion in the year 1995 on par with his juniors, he was promoted only in the year 2017. Immediately, the petitioner has made a representation dated 28.11.2017 to the respondents to promote him for the post of Forest Watcher from 1995 onwards on par with his juniors and the same was not considered. The petitioner retired from service in the year 2018. He has sent a representation dated 04.12.2018 to the respondents. After retirement, he will get notional promotion and monetary benefit, if his representation is considered. 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. 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 04.12.2018 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.

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

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary
Government of Tamil Nadu
Environment and Forest Department
Fort St. George
Chennai-600 009.
- 2.The Principal Chief Conservator of Forests
Panagal Building
Saidapet, Chennai-600 015.
- 3.The District Forest Officer
Chennai Division, Chennai.

+1cc to M/s.C.Prabakaran, Advocate SR.86809
+1cc to the Spl Government Pleader SR.87039

W.P.No.18592 of 2019

GP (CO)
CB (09/12/2019)

सत्यमेव जयते

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