

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.18678 of 2019

K.Ramalingam

..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 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 promotion by considering the petitioners representation dated 13.05.2017 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 first respondent in his Government letter No.8496/ER 2(II)/2018-3 dated 27.09.2018 with all consequential benefits.

For Petitioner : Ms.K.Jenitha

For Respondents: Mr.M.Elumalai

Government Advocate

W E B C O P Y
O R D E R

The prayer sought for in this Writ Petition is to direct respondents to appoint and promote the petitioner as Forest Watcher with effect from the date of his juniors promotion by considering the petitioners representation dated 13.05.2017 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 first respondent in his Government letter No.8496/ER 2(II)/2018-3 dated 27.09.2018 with all consequential benefits.

2. The case of the petitioner is that he joined the service as Plot Watcher in the Forest Department in the year 1985. After 26 years of service he was brought into regular time scale of pay in the cadre of Forest Watcher on 09.04.2012. It is his further case that, the Government issued G.O.Ms.No.332, Environment and Forest Department, dated 22.12.1994, imposing a new condition of pass in S.S.L.C. for holding regular post of Forest Watcher. Aggrieved by the same, the unqualified persons challenged the said G.O before the Tamil Nadu Administrative Tribunal in O.A.No.197 of 1995. Meanwhile, another Government Order was issued in G.O.Ms.64, Environment and Forest Department, 08.03.1999, wherein the Government restored the qualification of ability to read and write instead of a pass in S.S.L.C.

3. It is the further case of the petitioner that some of the junior persons have got promotion as Forest Watcher and also got their subsequent promotion as Forest Guard and Forester. The petitioner made representation on 30.05.2017 to the respondents requesting for retrospective appointment on promotion as Forest Watcher. However, till date the representation was not considered. Hence the Writ Petition is filed.

4. The learned counsel for the petitioner would submit that it would be suffice to issue direction to the respondents to dispose of the representation in accordance with law.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the respondents to dispose of the representation dated 30.05.2017, if not disposed already within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

kan

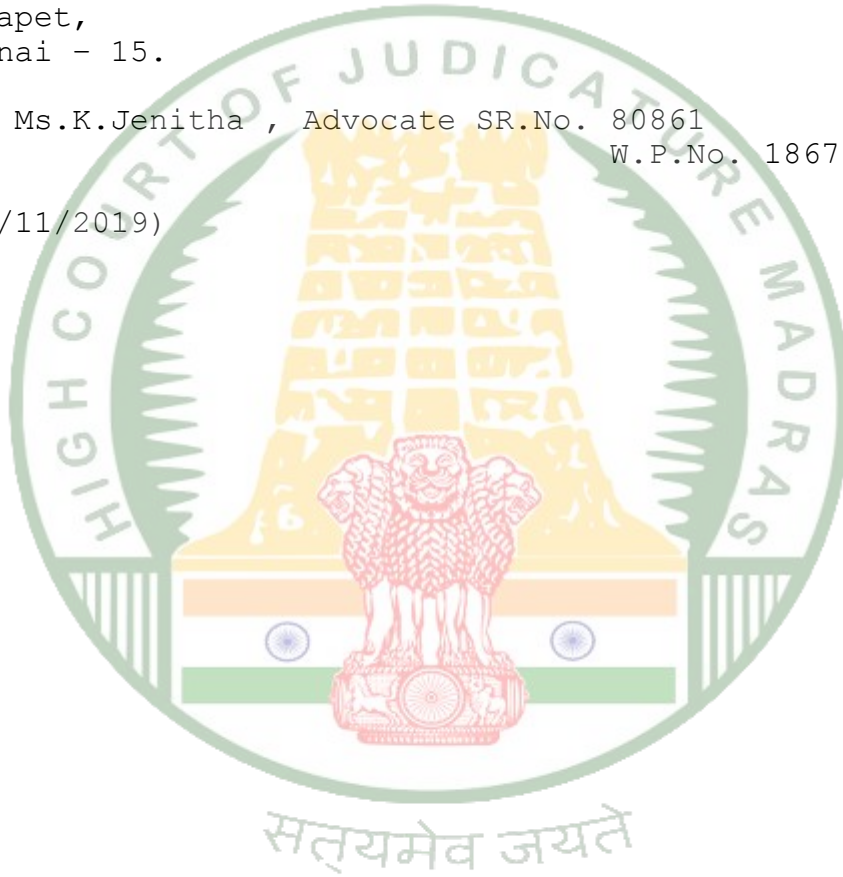
To

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.

+lcc to Ms.K.Jenitha , Advocate SR.No. 80861
W.P.No. 18678 of 2019

gp
A.SK(06/11/2019)



WEB COPY