

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.17784 of 2018

H.Amjathkhan

...Petitioner

Vs

1.The State of Tamil Nadu  
rep.by its Secretary to Government  
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,  
Villupuram Forest Division,  
Villupuram.

....Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 22.09.2017 with regard to regularisation of his service as driver in the regular post from the date of completion of ten years of service with all consequential benefits in the light of the order made in W.P(MD)No.11106/2013 and W.P.Nos.19456 to 19458 of 2013 within a time frame.

For Petitioner : Ms.K.Jenitha

For Respondents : Ms.M.Lalitha,  
Government Advocate

O R D E R

The case of the petitioner is that he was appointed as a Driver on 01.12.1997 in the Conservator of Forest Office, Villupuram by the third respondent. The petitioner made several representations to the respondents to regularise his services, but the same were not considered. Thereafter, on a

representation made by him to the respondents as per the direction of this Court in W.P.No.356 of 2006 on 01.09.2009, the same was considered and the third respondent by proceedings dated 26.02.2010, made recommendations to the second respondent to regularise his service, who in turn, sent a proposal to the first respondent to that effect. Thereafter, the first respondent, by proceedings dated 09.05.2013 rejected the claim of the drivers on the ground that they have not completed 10 years of service as on 01.01.2006 as per G.O.Ms.No.22, P&AR Department, dated 01.01.2006.

2.It is also stated by the petitioner that similarly placed persons challenged the order of the first respondent before this Court and orders were passed in W.P.(MD)No.11106 of 2013 on 01.12.2016 as well as in W.P.Nos.19456 to 19458 of 2013 on 04.09.2017 directing the respondents therein to regularise the services of the petitioners therein from the date of completion of 10 years of service and to pay the service and monetary benefits.

3.With the above background, the petitioner has come up with this writ petition for a direction to consider his representation dated 22.09.2017 in the light of the orders made in W.P(MD)No.11106/ 2013 dated 01.12.2016 and W.P.Nos.19456 to 19458 of 2013 dated 04.09.2017 within a stipulated time frame.

4.Ms.M.Lalitha, learned Government Advocate, takes notice for the respondents.

5.Considering the facts and circumstances of the case, the respondents are directed to consider and pass appropriate orders on the representation dated 22.09.2017 made by the petitioner on merits and also in the light of the orders passed by this Court in W.P(MD)No. 11106/2013 dated 01.12.2016 and W.P.Nos.19456 to 19458 of 2013 dated 04.09.2017, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KM

To

1. The Secretary to Government,  
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,  
Villupuram Forest Division,  
Villupuram.

+1 cc to M/s.K.Jenitha, Advocate, S.R.No.8082

+1 cc to the Special Government Pleader, S.R.No.8436

W.P.No.17784 of 2018

VD(CO)  
SSM(01/03/2019)



WEB COPY