

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P.Nos.15643, 15644 and 15645 of 2014

C.Rajendran ... Petitioner in W.P.No.15643 of 2014

R.Krishnan ... Petitioner in W.P.No.15644 of 2014

S.Sathasivam ... Petitioner in W.P.No.15645 of 2014

Vs.

1.The Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai - 600 009.

2.The Principal Chief Conservator of Forest,
Panagal Maligai,
Saidapet, Chennai - 600 017.

3.The Chief Forest Officer,
Vellore.

4.The District Forest Officer (South),
Chinnakadai Street,
Thiruvannamalai.

5.The Forest Ranger,
Office of the Forest Ranger,
Sathanur Dam, Sathanur.

... Respondents in
all writ petitions

Common Prayer: Writ Petitions filed under Article 226 of the
Constitution of India, to issue a Writ of Mandamus, directing
the respondents to consider the representations of the
petitioners dated 12.05.2014.

For Petitioners : Mr.S.Sivakumar for
M/s.Law Square Associates

For Respondents : Mrs.Thanga Vadana Bala Krishnan
Additional Government Pleader

COMMON ORDER

These writ petitions have been filed seeking direction to the respondents to consider the representations of the petitioners, dated 12.05.2014.

2. According to the petitioners they have joined as daily wage employees viz., Crocodile farm watchers on 01.03.1987 in Sathanur Dam and put more than 20 years service. Subsequently, they have filed O.As., later transferred to this Court as Writ Petitions, seeking regularisation. As per the directions of this Court, the second respondent passed orders, dated 19.11.2008, directing the Government to pass appropriate orders based on the proposals, which were not taken into consideration. In the event, petitioners have filed writ petitions to consider the proposals within the stipulated time fixed by the Court. In compliance to the directions issued by this Court, the services of the petitioners were regularised by the 1st respondent, after 13 years. Due to the inordinate delay in regularising the services of the petitioners, they were deprived of benefits, viz., monetary as well as pensionary benefits, due to them. Therefore, they have made representations dated 12.05.2014 to the respondents ventilating their grievances, which were not considered, hence these writ petitions.

3. The learned counsel appearing for the petitioners submitted that the petitioners have completed 30 years of service. More so, if their services were considered and regularised, they would be eligible for pensionary benefits. Therefore, the petitioners have put to irreparable loss and seeking direction to the respondents to consider their representations at an early date.

4. The learned Additional Government Pleader appearing for the respondents would submit that initially petitioners were employed on daily wages basis and subsequent to the date of their regularisation they would be eligible for benefits. As such, they would not claim for pensionary benefits from the date of joining. However, this Court may direct the petitioners to submit fresh representations before the authority concerned and the same would be considered in accordance with law, within the stipulated time.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the petitioners in the respective petitions to submit fresh representations before the

authority concerned, within a period of twelve weeks from the date of receipt of a copy of this order. Thereafter, on receipt of such representations, the authority concerned shall consider the same and pass appropriate orders, on merits and in accordance with law.

6. With the above directions, these writ petitions stand disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai - 600 009.
- 2.The Principal Chief Conservator of Forest,
Panagal Maligai,
Saidapet, Chennai - 600 017.
- 3.The Chief Forest Officer,
Vellore.
- 4.The District Forest Officer (South),
Chinnakadai Street,
Thiruvannamalai.
- 5.The Forest Ranger,
Office of the Forest Ranger,
Sathanur Dam, Sathanur.

+3cc to Mr.S.Sivakumar for M/S.Law Square, Advocate Sr.19812,
19813, 19814
+1cc to the Government Pleader sr.19575

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svi[co]
srg 9/5/2019