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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2019

CORAM :

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.20669, 20670, 20673, 20675 to 20677
and 20680 of 2019

W.P.No.20669 of 2019 :

(*)R.Kathirvel

... 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 Forest,
Panagal Building,
Saidapet,
Chennai - 600 015.

3.The District Forest Officer,
Villupuram District Forest Office,
Villupuram and District - 605 602.

... Respondents

Prayer in W.P.No.20669 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to appoint and absorb the petitioner as Forest Watcher with effect from the date of the Petitioner's juniors retrospective appointment on absorption in the date of 24/01/1995 as Forest Watcher on the basis of his representation dated 28/05/2019 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 W.P.No.9708 of 2014 dated 12/09/2014, SLP (C) No.12056 of 2015 Review dated 12/01/2017 and the Government Order (Ms) No.8 of the 1st respondent dated 21/01/2019 with all consequential benefits within time frame as fixed by this Court.



W.P.No.20670 of 2019 :

A.Krishnamoorthi

... Petitioner

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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 Forest,
Panagal Building,
Saidapet,
Chennai - 600 015.

3.The District Forest Officer,
Villupuram District Forest Office,
Villupuram and District - 605 602.

... Respondents

Prayer in W.P.No.20670 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to appoint and absorb the petitioner as Forest Watcher with effect from the date of the Petitioner's juniors retrospective appointment on absorption in the date of 24/01/1995 as Forest Watcher on the basis of his representation dated 28/05/2019 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 W.P.No.9708 of 2014 dated 12/09/2014, SLP (C) No.12056 of 2015 Review dated 12/01/2017 and the Government Order (Ms) No.8 of the 1st respondent dated 21/01/2019 with all consequential benefits within time frame as fixed by this Court.

W.P.No.20673 of 2019 :

V.Subbarayan

... Petitioner

Vs.



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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 Forest,
Panagal Building,
Saidapet,
Chennai - 600 015.

3.The Deputy Conservator of Forests,
State Forest Research Institute,
Chennai - 600 127.

... Respondents

Prayer in W.P.No.20673 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to appoint and absorb the petitioner as Forest Watcher or Mali with effect from the date of the Petitioner's juniors retrospective appointment on absorption in the date of 24/01/1995 as Forest Watcher on the basis of his representation dated 02/08/2015 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 W.P.No.9708 of 2014 dated 12/09/2014, SLP (C) No.12056 of 2015 Review dated 12/01/2017 and the Government Order (Ms) No.8 of the 1st respondent dated 21/01/2019 with all consequential benefits within time frame as fixed by this Court.

W.P.No.20675 of 2019 :

M.Thavamani

... Petitioner

Vs.

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



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

3.The District Forest Officer,
Cuddalore District Forest Office,
Cuddalore District - 605 602.

... Respondents

Prayer in W.P.No.20675 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to appoint and absorb the petitioner as Forest Watcher or Mali with effect from the date of his juniors retrospective appointment on absorption in the date of 24/01/1995 as Forest Watcher on the basis of his representation dated 15/06/2019 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 W.P.No.9708 of 2014 dated 12/09/2014, SLP (C) No.12056 of 2015 Review dated 12/01/2017 and the Government Order (Ms) No.8 of the 1st respondent dated 21/01/2019 with all consequential benefits within time frame as fixed by this Court.

W.P.No.20676 of 2019 :

Sammanismary

... 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 Forest,
Panagal Building,
Saidapet,
Chennai - 600 015.



3.The District Forest Officer,
Salem Forest Division,
Salem District.

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... Respondents

Prayer in W.P.No.20676 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to appoint and absorb the petitioner's husband as Forest Watcher with effect from the date of his juniors retrospective appointment on absorption in the date of 24/01/1995 as Forest Watcher on the basis of her representation dated 08/06/2019 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 W.P.No.9708 of 2014 dated 12/09/2014, SLP (C) No.12056 of 2015 Review dated 12/01/2017 and the Government Order (Ms) No.8 of the 1st respondent dated 21/01/2019 with all consequential benefits within time frame as fixed by this Court.

W.P.No.20677 of 2019 :

S.Kathiresan

... 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 Forest,
Panagal Building,
Saidapet,
Chennai - 600 015.
- 3.The District Forest Officer cum Deputy Director,
Mudhumalai Tiger Sanctuary,
Udhagamandalam,
The Nilgiris.

... Respondents

Prayer in W.P.No.20677 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ



of Mandamus directing the respondents to appoint and absorb the petitioner as Forest Watcher or Mali with effect from the date of the petitioner's juniors retrospective appointment on absorption in the date of 24/01/1995 as Forest Watcher on the basis of his representation dated 09/05/2019 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 W.P.No.9708 of 2014 dated 12/09/2014, SLP (C) No.12056 of 2015 Review dated 12/01/2017 and the Government Order (Ms) No.8 of the 1st respondent dated 21/01/2019 with all consequential benefits within time frame as fixed by this Court.

W.P.No.20680 of 2019 :

P.Kamaraj

... Petitioner

Vs.

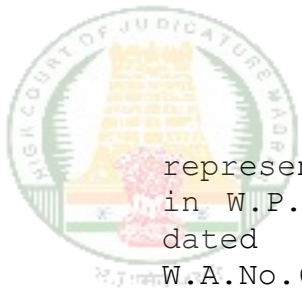
1.The State of Tamil Nadu,
Rep. by its Secretary to Government
Environment and Forest Department,
Fort St. George,
Chennai - 600 009.

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

3.The District Forest Officer,
Trichy District Forest Office,
Trichy.

... Respondents

Prayer in W.P.No.20680 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to appoint and absorb the petitioner as Forest Watcher with effect from the date of the petitioner's juniors retrospective appointment on absorption in the date of 24/01/1995 as Forest Watcher on the basis of his



representation dated 10/06/2019 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 W.P.No.9708 of 2014 dated 12/09/2014, SLP (C) No.12056 of 2015 Review dated 12/01/2017 and the Government Order (Ms) No.8 of the 1st respondent dated 21/01/2019 with all consequential benefits within time frame as fixed by this Court.

For Petitioner : Mr.P.Muthusamy
in all writ petitions

For Respondents : Mr.M.Elumalai
Government Advocate
in all writ petitions

C O M M O N O R D E R

The case of the petitioners in W.P.Nos.20669, 20670, 20673, 20675 to 20677 and 20680 of 2019 is that they joined the temporary services in the Environment and Forest Department and they worked for more than thirty years in the said Department. The petitioners submitted their representation on 28.05.2019, 28.05.2019, 02.08.2015, 15.06.2019, 08.06.2019, 09.05.2019 and 10.06.2019, respectively, for regularisation of their services on par with their juniors, however, the same have not been considered so far. Due to the inaction of the respondents, the petitioners are constrained to approach this Court by filing these writ petitions.

2.Learned counsel appearing for the petitioners would submit that the services of daily wages employees working in other departments were regularized after completion 10 years of services and they were given monetary benefits also. Moreover, similarly placed persons like the petitioners filed writ petitions before this Court and the same were disposed of with a direction to the respondents therein to consider the claim of the petitioners therein for regular appointment on par with their juniors. The learned counsel would further submit that in spite of repeated representations being given to the respondents in this regard, the claim of the petitioners has not been considered so far, in the meanwhile, juniors to the petitioners have marched over the petitioners through promotion and hence, prayed to consider the claim of the petitioners.



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3.Learned Government Advocate appearing on behalf of the respondents would submit that the claim of the petitioners will be considered in accordance with law.

4.Heard the learned counsel on either side.

5.Considering the facts and circumstances of the case and the submissions made by the learned counsel on either side, without going into the merits of the case, it would suffice, if a direction is issued to respondents to consider the claim/representation of the petitioners (supra) and pass 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.With the above direction, these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

Dated:18/12/2019

(*)Corrected as per order of
this Court dated 24/06/2022
and made in WMP No.7548 of 2021 in
W.P.No.20669 of 2019

Sd/-

Deputy Registrar(CS)

Dated:05/07/2022

//True Copy//

Sub Assistant Registrar

mkn

To

1.The Secretary to Government
State of Tamil Nadu,
Environment and Forest Department,
Fort St. George,
Chennai - 600 009.

To be substituted to
the order already
despatched on
10/01/2020



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- 2.The Principal Chief Conservator of Forest,
Panagal Building,
Saidapet,
Chennai - 600 015.
 - 3.The District Forest Officer,
Villupuram District Forest Office,
Villupuram and District - 605 602.
 - 4.The Deputy Conservator of Forests,
State Forest Research Institute,
Chennai - 600 127.
 - 5.The District Forest Officer,
Cuddalore District Forest Office,
Cuddalore District - 605 602.
 - 6.The District Forest Officer,
Salem Forest Division,
Salem District.
 - 7.The District Forest Officer cum Deputy Director,
Mudhumalai Tiger Sanctuary,
Udhagamandalam,
The Nilgiris.
 - 8.The District Forest Officer,
Trichy District Forest Office,
Trichy.
- +7ccs Mr.P.Muthusamy, Advocate sr.94900 to 94906
+1cc to Special Government Pleader(F) **Sr.39853**
+2cc to Mr.I.Kanna Patel, Advocate Sr.39043

W.P.Nos.20669, 20670, 20673,
20675 to 20677 & 20680 of 2019

rv(co)
nr 20/12/2019
srg 05/07/2022