

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 20852 of 2019

M.Munivel

..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,
Thiruvallur District,
Thiruvallur.

. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ order or direction in the nature of 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, W.A.No. 607 of 2010 dated 29.03.2010 and proceedings of the 2nd respondent dated 07.01.2011 and confer all consequential benefits including the pension benefits based on the representation of the petitioner dated 04.07.2019.

For Petitioner : Mr.C.Prabhakaran
For Respondents : Mr.Elumalai
Government Advocate

O R D E R

The prayer sought for in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents to appoint the petitioner as regular time scale Forest Watcher taking into account of 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, W.A.No. 607 of 2010 dated 29.03.2010 and proceedings of the 2nd respondent dated 07.01.2011 and confer all consequential benefits including the pension benefits based on the representation of the petitioner dated 04.07.2019.

2. The case of the petitioner is that he was appointed as Plot Watcher/Garden Watcher in the respondent department on 01.03.1986 on daily wage basis by the order of the Forest Range Officer, Social Forestry Range, Thirutani. He has been discharging his duty without any blemish of records and utmost to the satisfaction of the employer concerned. He has been engaged as daily wage employee for more than a period of 2 decades and thereby after rendering painful service on daily wage basis for years together, he has been brought into regular time scale of pay of Plot Watcher/Gardner which is a cadre post on 31.08.2009 pursuant to the G.O.Ms.No. 95 Environmental and Forest Department dated 07.08.2009 with effect from 07.08.2009. His name has been included in the state wide seniority list drawn by the department and again from the year 1994 as seniority No. 4741. However with an inordinate delay and without considering his service, and placing the petitioner in appropriate time, he was continuing the service as Plot Watcher and on attaining superannuation he was allowed to retire from service peacefully On 30.06.2018.

3. The learned counsel for the petitioner would now submit that it would be suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 04.07.2019 within a time frame.

4. Without expressing any opinion on merits, I am inclined to issue a direction to the respondents to dispose of the Writ Petitioner's representation dated 04.07.2019, within a period of twelve weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

kmm

To

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

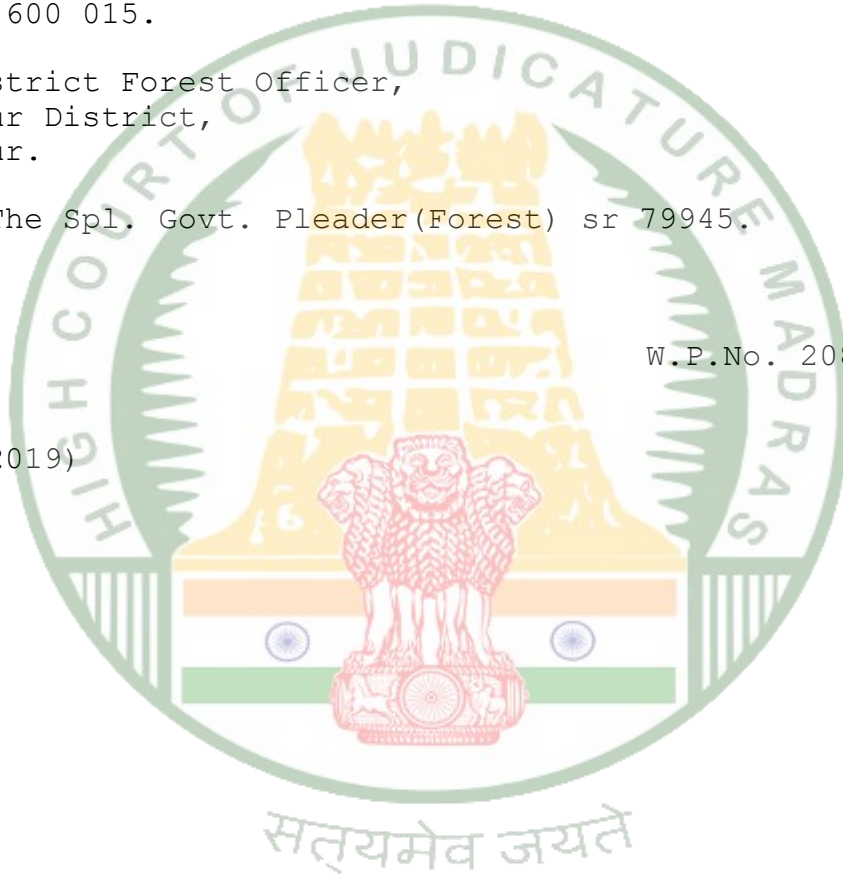
2. The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet,
Chennai - 600 015.

3. The District Forest Officer,
Thiruvallur District,
Thiruvallur.

+1 CC to The Spl. Govt. Pleader(Forest) sr 79945.

W.P.No. 20852 of 2019

VBA(CO)
SP(04/12/2019)



WEB COPY