

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27037 of 2019

and

W.M.P.No.26422 of 2019

1.E.Subramani
2.B.Sathish Kumar
3.M.Silambarasan
4.K.Thangaraj

... Petitioners

Vs.

1.The State of Tamil Nadu,
rep. by its Secretary to Government,
Environment and Forest Department,
Fort St.George,
Chennai-9.
2.The Principal Chief Conservator of Forest
and Head of Forest Force,
Panagal Building,
Saidapet,
Chennai-15.
3.The Assistant Conservator of Forests,
Forest Research Centre,
Kolappakkam,
Chennai

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to regularize the petitioners services in the Supernumerary post of Plot Watcher as per G.O.Ms.No.95, Environment and Forest Department dated 07.08.2009 and G.O.Ms.No.202, Environment and Forest (FR-2) Department, dated 18.12.2013 and G.O.(2Pa)No.13, Environment and Forest (Forest 2-II) Department, dated 26.03.2018 with all consequential benefits.

For Petitioners : Mr.K.Jenitha

For Respondents : Mr.M.Elumalai,
Government Advocate.

O R D E R

By consent, this writ petition has been taken up for final disposal at the admission stage itself.

2.The petitioners were initially appointed in the year 2001 and are working as Plot Watchers in the Agaram Forest Research Center till date. The 1st respondent issued G.O.Ms.No.64, Environment and Forests Department, dated 08.03.1999 for preparation of State wide seniority list of Plot Watchers/Social Forestry workers for the purpose of regularization of service according to the seniority. The seniority list was prepared from the Plot Watchers/Social Forestry Workers, those who have joined up to 01.02.1993. Thereafter on 07.08.2009, the Government has issued a G.O.(D).No.95, Environment and Forests Department dated 07.08.2009 for regularizing the services of all the social forestry workers/plot watchers, those who have included in the State wide seniority list and completed 10 years of service in the Forest Department all over Tamil Nadu. Therefore, the petitioners made representations to the 3rd respondent. Subsequently, the first respondent has issued another G.O.Ms.No.202, Environment and Forest (Fores-2) Department, dated 18.12.2013, in which state wide seniority list was issued to the Plot Watchers/Social Forestry Workers who have been appointed upto 1st January 2000 and their services were brought under the regular time scale of pay. Similarly, the first respondent has issued another Government order in G.O. (2pa) No.13, Environment and Forest (Forest 2-II) Department dated 26.03.2018, in which the Plot Watchers, who have been working as daily wages in the Department for more than 10 years of service under various schemes and various accounts. Based on the above said G.O., Plot Watchers working in the Research Centres were brought under the regular time scale of pay and their services were regularized as Supernumerary Plot Watcher. Therefore, the petitioners submitted their representations dated 09.08.2018 for regularization of their service. Since the petitioners representations were not considered till date, the petitioners have filed the present petition.

3.Heard Ms.K.Jenitha, learned counsel appearing for the petitioners and Mr.M.Elumalai, learned Government Advocate appearing for the respondents.

4.The learned counsel appearing for the petitioners submitted that it would suffice if a direction is issued to the respondents 2 and 3 to consider the representation of the petitioners dated 09.08.2018 and pass orders within a stipulated time as fixed by this Court.

5.Thus, without going into the merits of the case, this Court is inclined to issue direction to the respondents 2 and 3

to consider the representations of the petitioners dated 09.08.2018 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of copy of this order. For ready reference, the petitioners are directed to enclose the copy of the representations along with this order copy to enable the respondents 2 and 3 to consider and pass orders.

6. With the above direction, this writ petition stands disposed of. No costs. Connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
State of Tamil Nadu,
Environment and Forest Department,
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Chennai-9.
2. The Principal Chief Conservator of Forest
and Head of Forest Force,
Panagal Building,
Saidapet,
Chennai-15.
3. The Assistant Conservator of Forests,
Forest Research Centre,
Kolappakkam,
Chennai.

+1cc to Mr.K.Jenitha, Advocate SR.79206
+1cc to Spl.Government Pleader(Forest) SR.78628

SV(CO)
CB(04/11/2019)

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