

HIN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.33206 of 2019 and
W.M.P.No.33660 of 2019

1. S.Mathaiyan
 2. K.Gopal
 3. K.Rajagopal
 4. P.Ramamoorthy
 5. K.Manickam
 6. K.Muniappan
 7. M.Sebastin
 8. C.Samikannu
 9. M.Mani
 - 10.A.Kannan
- Petitioners

Vs.

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Environment and Forest Department,
Fort St. George, Secretariat,
Chennai - 9.
 2. The Principal Chief Conservator of Forests,
Head of Forest Force,
Panagal Building,
Saidapet, Chennai -15.
- ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, direct the respondents to consider the representation of the petitioner dated 25.09.2019 for regularising the service of the petitioners as Forest Watcher from 24.01.1995 notionally by taking in account their seniority and qualification, on par with their 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 second respondent dated 07.01.2011 and confer all consequential benefits.

For Petitioners : Mr.S.Mani

For Respondents : Mr.M.Elumalai,
Government Advocate

O R D E R

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

2.The case of the petitioners is that the petitioners were appointed on daily wage basis in the Forest Department as Plot Watchers / Social Forestry Worker. The above said post is a non-cadre post in which more than 3000 persons have been appointed throughout the State, during the relevant period. Though they were appointed in the year 1986, thereafter in the year 2003 to 2012 they were brought into time scale of pay in the cadre post of Forest Watcher and rendered service for more than two decades. Similarly situated persons already filed W.P.Nos.15561 of 2006 and 23374 of 2008, which were allowed on 31.10.2009. Aggrieved by the said order, the State preferred appeal and the same were dismissed in W.A.Nos.690 of 2008 and 607 of 2010 on 29.03.2010. Therefore in order to avail such benefit, the petitioners made representation on 25.09.2019 for regularization of their services, but till date the same have not been considered. Hence, the petitioners have filed the present writ petition.

3.Heard both sides.

4.The learned counsel appearing for the petitioners submitted that it would suffice if a direction is issued to the respondents to consider the representation of the petitioners dated 25.09.2019 and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioners have sought for a larger relief, this Court without going into the merits of the case, directs the respondents to consider the representations of the petitioners dated 25.09.2019 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.

6.With the above direction, the writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

rka

To

1. The Principal Secretary to Government,
State of Tamil Nadu,
Environment and Forest Department,
Fort St. George, Secretariat,
Chennai - 9.

2. The Principal Chief Conservator of Forests,
Head of Forest Force,
Panagal Building,
Saidapet, Chennai -15.

+10ccs to Mr.S.Mani, Advocate in SR.99316

+1cc to Mr.S.Mani, Advocate SR.98717

+1cc to Spl Government Pleader SR.99186

W.P.No.33206 of 2019

PVS(CO)
CB(31/12/2019)



WEB COPY