

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No. 34417 of 2019

A.Ayyanar

...Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep. By its Principal Secretary to Government,
Environment and Forest Department,
Fort.St.George, Secretariat,
Chennai - 600 009.
 - 2.The Principal Chief Conservator of Forests,
Head of Forest Force,
No.1, Genies Road,
Panagal Maligai,
Saidapet, Chennai - 15.
 - 3.The District Forest Officer,
Dharmapuri Forest Division,
Dharmapuri - 5, Dharmapuri District.
 - 4.The Forest Range Officer,
Pennagaram Forest Range,
Dharmapuri Forest Division,
Pennagaram - 636 810,
Dharmapuri District.
- ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus, directing the respondents to appoint the petitioner as Plot Watcher / Anti Poaching Watcher in Supernumery post as per the common order passed by the Hon'ble Division Bench of this Hon'ble Court dated 05.04.2018 in W.A.No. 354 & 355 of 2016 and grant all service benefits on par with similarly placed persons.

For Petitioner : Mr.M.R.Jothimanian

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

O R D E R

This writ petition has been filed for issue of Writ of Mandamus directing the respondents to appoint the petitioner as Plot Watcher / Anti Poaching Watcher in a Supernumery post.

2. It is the case of the petitioner that he was appointed as a Plot Watcher / Anti Poaching Watcher in the year 1997 and he was working for more than 22 years in the department. It is the further case of the petitioner that the Government issued a Government order in G.O.Ms.No. 95, dated 07.08.2009 to regularize the services of Plot Watchers, who were all working in the department for more than 10 years. According to the petitioner, he is also entitled for similar relief. That apart, it is also seen from the records that similarly placed persons had already approached this Court and the matter has been dealt with by the Hon'ble Division Bench of this Court and the orders have been passed in W.A.No. 354 & 355 of 2016 on 05.04.2018. The petitioner also seeks for the same relief.

3. The petitioner has already made a representation to the respondents in this regard and the same has not been acted upon. Therefore, the petitioner has approached this Court seeking for directions to the respondent to grant the relief to the petitioner.

4. Heard Mr.M.R.Jothimanian, learned counsel appearing on behalf of the petitioner and Mr.K.Elumalai, learned Government Advocate appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and the recommendation that has already been given to the second respondent, there shall be a direction to the second respondent to forward the same to the first respondent to enable the first respondent to take a decision and to pass appropriate orders. The first respondent on receipt of the papers from the second respondent shall pass appropriate orders on its own merits and in accordance with law and after taking into consideration the earlier order passed by this Court, within a period of eight (8) weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with a copy of the proceedings dated 16.07.2013 and also a copy of this order by marking a copy to the first respondent.

6. This writ petition is disposed of with the above directions.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kkn

To:-

- 1.The Principal Secretary to Government,
government of Tamil Nadu,
Environment and Forest Department,
Fort.St.George, Secretariat,
Chennai - 600 009.
- 2.The Principal Chief Conservator of Forests,
Head of Forest Force,
No.1, Genies Road,
Panagal Maligai,
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- 3.The District Forest Officer,
Dharmapuri Forest Division,
Dharmapuri - 5, Dharmapuri District.
- 4.The Forest Range Officer,
Pennagaram Forest Range,
Dharmapuri Forest Division,
Pennagaram - 636 810,
Dharmapuri District.

+1cc to M/s.M.R.Jothimanian, Advocate SR.103299
+1cc to the Spl. Government Pleader SR.104468

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BP(CO)
CB(10/02/2020)

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