

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.34703 of 2019

and

WMP No.35457 of 2019

1.M.Pachaiyappan
2.S.Dhanakoti
3.K.Chellappan
4.M.Devaraj
5.T.Kanniyappan
6.A.Murugan

.... Petitioners

.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 Forest,
Office at Panagal Maligai,
Saidapet,Chennai 600 015.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to appoint the petitioners as regular time scale Forest Watchers taking into account of their seniority and qualification, on par with their juniors with effect from 24.1.95 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 2003.2010 and proceedings of the second respondent dated 7.01.2011 and confer all consequential benefits by considering the representation dated 15.10.2018.

For Petitioners : Mr.T.Sellapandian
for Mr.S.Mani

For Respondents : Mr.K.Elumalai
Government Advocate

O R D E R

This writ petition has been filed for the issue of a Writ of Mandamus directing the respondents to appoint the petitioners as regular time scale Forest Watchers on par with their juniors and in accordance with the various orders passed by this Court.

2.The case of the petitioners is that they were appointed on a daily wages based in the Forest Department as Plot Watchers/ Social Forestry Worker from the period 1976-1984. This is a non-cadre post. Subsequently, by virtue of an Order passed by the Government, the petitioners were paid in the time scale pay in the cadre of Forest Watcher. According to the petitioner, similarly placed persons approached this Court and filed a writ petition seeking for regularizing their services on par with their juniors. The writ petition was allowed by an order dated 31.10.2009 and an appeal that was filed against the same was also dismissed. It is the further case of the petitioners that the Government also implemented the above said Order passed by this Court and it has given regular time scale pay to the writ petitioners.

3.The petitioners submitted a representation to the respondents to regularize their service on par with their juniors. Since no orders were passed on the representation, the present writ petition has been filed before this Court.

4.Heard Mr.T.Sellapandian, learned counsel appearing for the petitioners and Mr.K.Elumalai, learned Government Advocate appearing on behalf of the respondents.

5.Taking into consideration the facts and circumstance of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 2nd respondent to forward the proposal based on the representation made by the petitioners on 15.10.2018, within a period of six weeks to the 1st respondent and the 1st respondent is directed to pass necessary orders strictly in accordance with law based on the earlier orders passed by this Court, within a period of six weeks thereafter. The petitioners are directed to give a fresh representation to the 2nd respondent along with a copy of the representation dated 15.10.2018, and also a copy of this order.

This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP
To

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

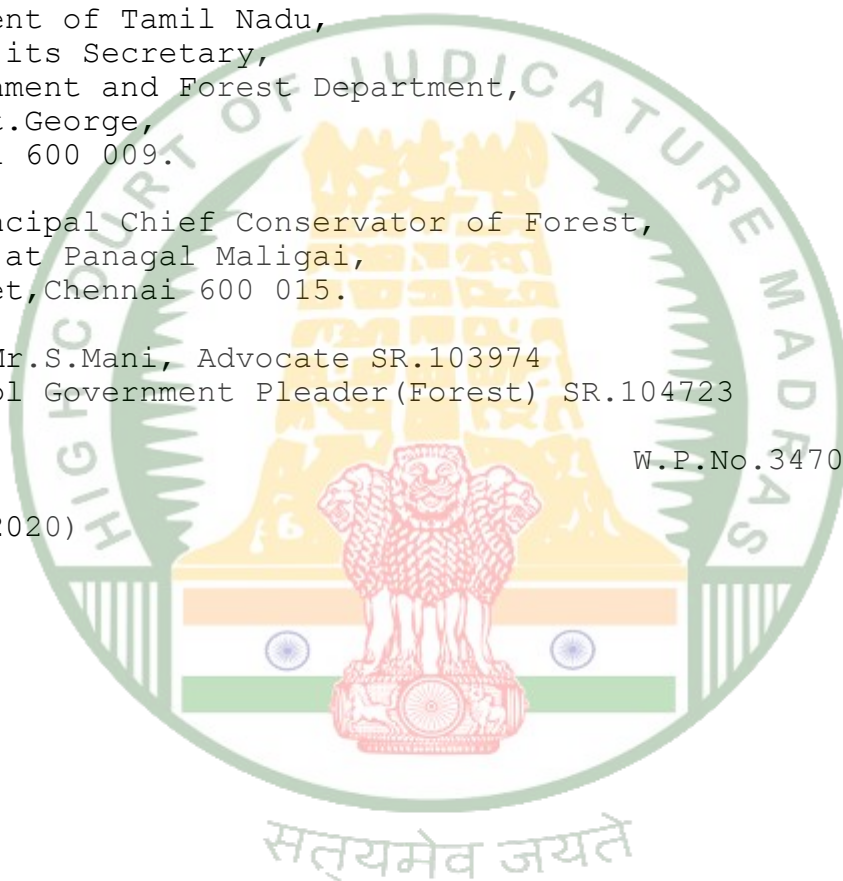
2. The Principal Chief Conservator of Forest,
Office at Panagal Maligai,
Saidapet, Chennai 600 015.

+6ccs to Mr. S. Mani, Advocate SR.103974

+1cc to Spl Government Pleader (Forest) SR.104723

W.P.No.34703 of 2019

NR(CO)
CB(27/01/2020)



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