

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2019

CORAM :

THE HON'BLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.34801 of 2019

1.A.Thondi Vairavan
2.K.Mahendran

...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.

3.Wild Life Warden,
Gulf of Mannar,
Marine National Park,
Keelakarai, Ramnad.

...Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to include the name of the petitioners in the State Wide Seniority List so as to enable the petitioners to get their services regularized in the time scale of pay as Plot Watcher (Supernumerary) by considering their representation dated 25.10.2019 within a time limit that may be stipulated by this Hon'ble Court.

For Petitioner

: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 seeking for a writ of Mandamus directing the respondents to include the name of the petitioners in the seniority list and to regularize the time scale of pay of the petitioners, after considering their representation dated 25.10.2019.

2.It is seen from records that the petitioners joined as Anti Poaching Watcher and Boat Driver in the Forest Department on daily wage basis in the year 1997 and 2006 respectively. Thereafter, the Forest Department had drawn a State-wise Seniority list by including daily wage workers, in order to take steps to regularize the service of the daily wage employees. The name of the 1st petitioner was included in the list as Sl.No.238, but he was not regularized. The 2nd petitioner's name was not included in the list. According to the petitioners, the names of the similarly placed persons were added in the list and they were regularized on the ground that they have already completed 10 years of service. Therefore, the petitioners made a representation to the respondent to consider the case of the petitioners, in line with the similarly placed persons. Since the same has not been considered, the present writ petition has been filed.

3.Heard the learned counsel for the petitioners and the learned counsel appearing on behalf of the respondents.

4.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 2nd respondent to consider the representation made by the petitioners dated 25.10.2019 and pass orders on merits and strictly in accordance with law, within a period of twelve weeks from the date of receipt of copy of this order. The petitioners are directed to give a fresh representation to the 2nd respondent along with a copy of the representation dated 25.10.2019 and also a copy of this order.

5.This writ petition is disposed of with the above directions. There shall be no order as to costs. Connected miscellaneous petition is also closed.

Sd/-

सत्यमेव जयते Assistant Registrar

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Sub Assistant Registrar

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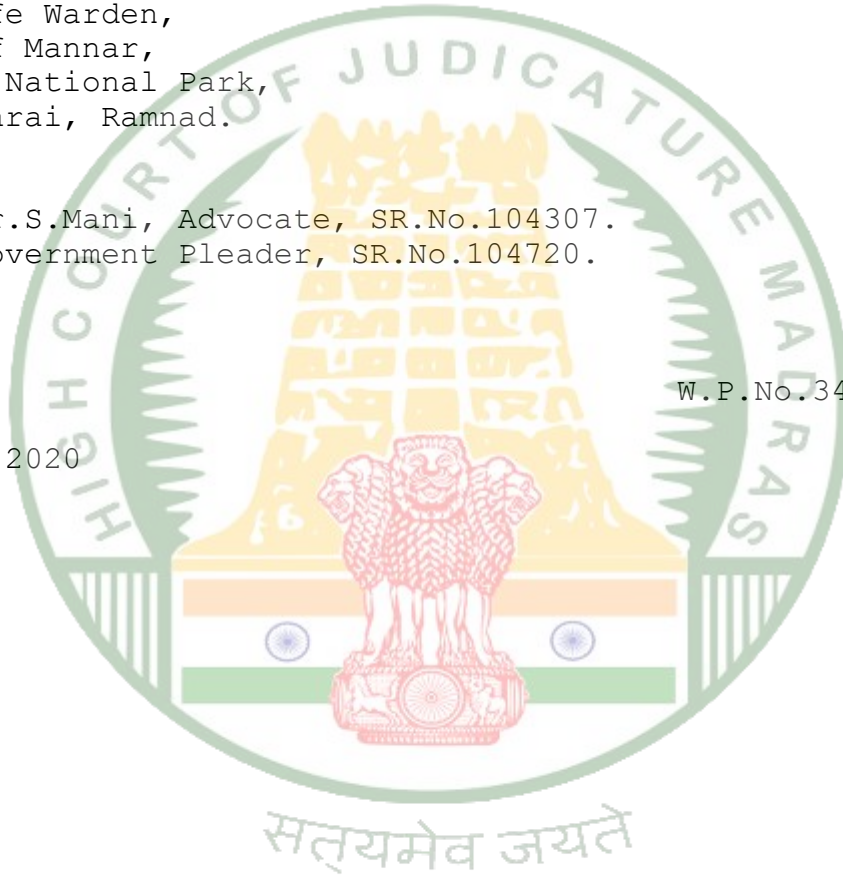
To

- 1.The Secretary,
Government of Tamil Nadu,
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.
- 3.Wild Life Warden,
Gulf of Mannar,
Marine National Park,
Keelakarai, Ramnad.

+lcc to Mr.S.Mani, Advocate, SR.No.104307.
+lcc to Government Pleader, SR.No.104720.

SR(CO)
CSR:30.01.2020

W.P.No.34801 of 2019



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