

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 04.01.2019

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA

W.P. NOS. 34452, 34454 & 34455 OF 2018

P.Mani .. Petitioner in WP 34452/18

B.Saravanan

.. Petitioner in WP 34454/18

T.Magesh

.. Petitioner in WP 34455/18

- Vs -

1. Government of Tamil Nadu
rep. By its Secretary
Environment & Forest Department
Fort St. George, Chennai 600 009.

2. The Prl. Chief Conservator of Forests
Panagal Buildings, Saidapet
Chennai 600 015.

.. RR-1 & 2 in all the petitions

3. The District Forest Officer
Vellore.

.. R-3 in WP 34452/18

4. The Deputy Director
Mudumalai Tiger Reserve Forest
Nilgiris.

.. R-3 in WP 34454 & 34455/18

Writ Petitions filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents 1 & 2 to include the name of the petitioner in the State wide seniority list in the light of G.O. Ms. No.202, Environment and Forest Department dated 18.12.2013 and G.O. (2PA) No.13, Environment & Forest Department dated 26.3.2018 so as to enable the petitioner to get his service regularised in the time scale of pay as Plot Watcher (supernumerary) within a time limit that may be stipulated by this Court.

For Petitioners : Mr. S.Mani

For Respondents : Mr. Vijayaprasanth, Spl. G.P.

COMMO N ORDER

The writ petitions have been filed by the respective petitioners seeking a direction to the respondents to consider the representation submitted by the petitioners.

2. It is the case of the petitioners that on the basis of the directions of the Government, state wide seniority list of plot watchers was drawn to include daily wage workers throughout the State for the purpose of regularisation of their service in the time scale of pay. Pursuant to the said direction, the Government issued G.O. Ms. No.95, Environment and Forest Department for creation of supernumerary post for the purpose of regularising the services of daily wage employees. However, it is the case of the petitioners that their names have not been included in the state wide seniority list and, therefore, they have been denied the benefit of the said Government Order.

3. It is further averred that the Government issued G.O. Ms. No.202, Environment and Forest Department to include the daily wage employees in the Forest Department to regularise their service in a phased manner. The petitioners were not included in the list even as per the above Government Order.

4. Quoting the above, the petitioners submitted a representation to the respondents inviting their attention to their plight in doing service on daily wage basis for decades together and to consider their case for regularisation. Since the said representation has not been considered till date, the present petitions have been preferred.

5. Learned counsel appearing for the petitioners submitted that this Court may direct the respondents to consider the representation submitted by the respective petitioners in the light of G.O. Ms. No.95 and G.O. Ms. No.202, Environment & Forest and pass appropriate orders within a particular time frame.

6. Mr. Vijayaprasanth, learned Spl. Government Pleader takes notice for respondents and submits this Court may direct respondents 1 and 2 to consider the representation and pass orders.

7. In view of the limited relief sought for, this Court is of the view that it would suffice to direct respondents 1 and 2 to consider the representation submitted by the respective

petitioners within a particular time frame.

8. In the above circumstances, these writ petitions are disposed of directing respondents 1 and 2 to consider the representation of the respective petitioners in the light of G.O. Ms. No.95 and G.O. Ms. No.202 and pass orders thereon, within a period of four weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

GLN

To

1. The Secretary to Government
Environment & Forest Department
Government of Tamil Nadu
Fort St. George, Chennai 600 009.
2. The Prl. Chief Conservator of Forests
Panagal Buildings, Saidapet
Chennai 600 015.
3. The District Forest Officer
Vellore.
4. The Deputy Director
Mudumalai Tiger Reserve Forest
Nilgiris.
5. The Government Pleader,
High Court, Madras.

+3cc to Mr.S.Mani, Advocate, S.R.No.844 to 846

W.P. NOS. 34452, 34454,
& 34455 OF 2018

SJ(CO)
GSP(11/02/2019)