



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD)No.22033 of 2019

T.Muniyasamy

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep., by its Secretary to Government,
Environment and Forest Department,
Fort. St. George,
Chennai.
- 2.The Principal Chief Conservator of Forest,
Panagal Building,
Saidapet,
Chennai-15.
- 3.The District Forest Officer-cum-Wild Life Warden,
Ramanathapuram Division,
Ramanathapuram.

... Respondents

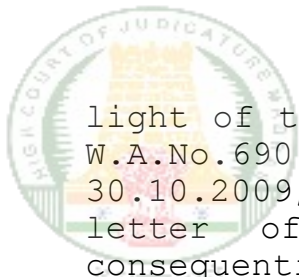
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to appoint and promote the petitioner as Forest Watcher with effect from the date of his juniors appointment and promotion by considering the petitioner representation dated 02.08.2018 in the light of the order 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 20.03.2010 and Government letter of the first respondent, dated 03.03.2017 with all consequential benefits.

For Petitioner : Mr.I.Kanna Patel

For Respondents : Mr.V.Anand,
Govenment Advocate

ORDER

This writ petition is filed for a direction to the respondents to appoint and promote the petitioner as Forest Watcher with effect from the date of his juniors appointment and promotion by considering the petitioner representation dated 02.08.2018 in the



light of the order 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 20.03.2010 and Government letter of the first respondent, dated 03.03.2017 with all consequential benefits.

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2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

3.The case of the petitioner is that he was appointed as Plot Watcher on 01.10.1985 through Employment Exchange and the petitioner was brought under the regular time scale of pay on 01.08.2014 and in this regard, G.O.Ms.No.64, Environment and Forest Department, dated 08.03.1999 was issued, relaxing the qualification from SSLC to the persons, who have ability to read and write in Tamil. Accordingly, a State Wide Seniority List was prepared, in which, he was placed in Serial No.4355. But the same was not followed in letter and spirit. In this regard, the petitioner has submitted a representation on 02.08.2018 to the respondents, which has not been considered so far. Hence, the petitioner has filed the present Writ Petition.

4.Dealing with the subject matter, in detail, the Division Bench of this Court has passed an order on 27.03.2018 in W.A(MD) Nos.51 of 2018 and etc batch cases, analysing all the corresponding G.Os in the Judgment and ultimately, observed in paragraph No.31(v) as follows:-

"So far as W.P(MD)No.6678 of 2017 is concerned, though the petitioner seeks for promotion to the post of Plot Watcher, the same is a misnomer as it is not a promotion, but absorption in the post of Forest Watcher. Therefore, whatever the relief granted to the other petitioner, shall enure in favour of this petitioner also and the Writ Petition stands disposed of accordingly."

5.Agreed with the same, this Writ Petition stands disposed of in similar line. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Secretary to Government,
Environment and Forest Department,
Fort. St. George, Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>



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

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3.The District Forest Officer-cum-Wild Life Warden,
Ramanathapuram Division,
Ramanathapuram.

+1 CC to M/s.I.KANNA PATEL, Advocate (SR-92779[F] dated
18/10/2019)

+1 CC to M/s.SPL GP (SR-93503[F] dated 22/10/2019)

W.P. (MD) No.22033 of 2019
18.10.2019

JMN(06.11.2019) 3P : 6C