

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 21.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.4431 of 2020

D.Selvaraj

...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 - 600 015.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or order or direction in the nature of a Writ of Mandamus, directing the respondents to consider and pass order on the petitioner representation dated 04.06.2018 for appoint and promotion of the petitioner as Forest Watcher with effect from the date of his juniors appointment and promotion 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 29.03.2010 and first respondent in his Government Letter No. 24184/FR 2-(II)/2017-1 dated 14.05.2018 with all consequential benefits.

For Petitioner : Mr. T. Dharani

For Respondents : Mr.M. 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 petitioner as regular time scale Forest Watcher on par with their juniors and in accordance with the various orders passed by this Court.

2.The case of the petitioner is that the petitioner was appointed as Plot Watcher on daily wages basis during 1980. Subsequently, by virtue of an Order passed by the Government, the the petitioner was appointed as Plot Watcher in regular time scale of pay. 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 30.10.2009 and an appeal that was filed against the same was also dismissed. It is the further case of the petitioner 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 petitioner submitted a representation on 04.06.2018 to the second respondent to regularize the service of the petitioner 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. Dharani, learned counsel appearing for the petitioners and Mr.M. 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 petitioner on 04.06.2018, 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 petitioner is directed to give a fresh representation to the 2nd respondent along with a copy of the representation dated 04.06.2018, and also a copy of this order.

6.This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government
State of Tamil Nadu
Environment and Forest Department
Fort. St. George, Chennai.
2. The Principal Chief Conservator of Forest
Panagal Building, Saidapet,
Chennai - 600 015.

+1 cc to M/s.T.Dharani, Advocate Sr.No. 15089

+1 cc to The Special Government Pleader (Forest) Sr.No. 15861

AKM/19.03.2020/3P-5C /

W.P.No.4431 of 2020



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