

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 14.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.3682 of 2020

D. Selvam

...Petitioner

Vs

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

2. The Principal Chief Conservator of Forest,
Panagal Maligai 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 nature of a Writ of Mandamus, directing the second respondent to appoint the petitioner as Forest Watcher with effect from the date of his junior's appointment on 24.1.95 by considering his representation dated 12.11.2019, 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 G.O. (MS) No.08, E & F(FR.2-II) Department dated 21.01.2019 with all consequential benefits.

For Petitioner : Ms. K. Jenitha

For Respondents : Mr.S.Prabhu

Additional Government Pleader

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 Watchers on par with their juniors and in accordance with the various orders passed by this Court.

2.The case of the petitioner is that he was appointed as Plot Watcher on daily wages basis in the year 1984 at Marakaanam Forest Research Centre. This is a non-cadre post. Subsequently, by virtue of an Order passed by the Government, the petitioner was selected for appointment to the post of Forest 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 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 petitioner submitted a representation on 12.11.2019 to the second respondent to regularize his 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 Ms. K. Jenitha , learned counsel appearing for the petitioner and Mr.S.Prabhu, learned Additional Government Pleader 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 12.11.2019, 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 12.11.2019, and also a copy of this order.

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

Sd/-
Assistant Registrar(CS VI)
Dt 14.02.2020

//True Copy//

Sub Assistant Registrar

bga

To

1. The Secretary to Government,
Environment and Forest Department,
Fort St. George,
Chennai - 600 009.
2. The Principal Chief Conservator of Forest,
Panagal Building,
Saidapet,
Chennai - 600 015.

+1CC to M/s K.Jenitha, Advocate, S.R.No. 12638 dt 14/02/2020
+1CC to Special Government Pleader (Forest), S.R.No.13352
dt 18/02/2020

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(CO) PM 10/03/2020
KKV/16/03/2020