

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 21.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.4338 of 2020

1. R. Kallimuthu

2. G. Thada Selvi

...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.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or order or direction or any other appropriate order in the nature of Writ of Mandamus, directing the respondents to appoint the petitioners as regular time scale Forest Watchers taking into account of their seniority and qualification, on par with their juniors with effect from 24.01.95 purpose of getting pension in the light of the orders 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 proceedings of the second respondent dated 07.01.2011 and confer all consequential benefits by considering the representation dated 18.12.2018.

For Petitioners : Mr. Sellapandian
for M/s. S. Mani

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 first petitioner and the second petitioner's husband 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 petitioners is that the first petitioner and the second petitioner's husband were appointed as Plot Watchers on daily wages basis during 1986 and 1982 respectively. Subsequently, by virtue of an Order passed by the Government, the the first petitioner and the second petitioner's husband were selected for appointment to the post of Forest Watcher in regular time scale of pay. According to the petitioners, 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 petitioners submitted a representation on 18.12.2018 to the respondents to regularize the service of the first petitioner and the second petitioner's husband 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. Sellapandian, 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 petitioners on 18.12.2018, 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 petitioners are directed to give a fresh representation to the 2nd respondent along with a copy of the representation dated 18.12.2018, and also a copy of this order.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

bga

Copy to

- 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.

+2cc to Mr.S.Mani, Advocate, S.R.No.14936
+1cc to the Government Pleader, S.R.No.15859

W.P.No.4338 of 2020

adl/30.05.2020

सत्यमेव जयते
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