

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.Nos.4792, 4793 & 4795 of 2019

V. Palanisamy

...Petitioner
in W.P.No.4792/2019

K. Malaiyandi

... Petitioner
in W.P.No.4793/2019

S. Manipandi

... Petitioner
in W.P.No.4795/2019

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.

... Respondents
in all the W.Ps

Common Prayer: Writ petitions filed under Article 226 of the Constitution of India, praying for the issuance of 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 petitioners representation dated 11.06.2018 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 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 Petitioners: Mr. K. Jenitha

For Respondents: Mr. S. Prabhu,

Additional Government Pleader

C O M M O N 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 petitioners 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 they were appointed as Plot Watcher on daily wages basis. This is a non-cadre post. Subsequently, by virtue of an Order passed by the Government, the petitioners 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 11.06.2018 to the respondents to regularize their service on par with their juniors. Since no orders were passed on the representation, the present writ petitions have been filed before this Court.

4. Heard Ms. K. Jenitha, learned counsel appearing for the petitioners and Mr. S. Prabhu, learned Additional Government Pleader appearing on behalf of the respondents.

5. Taking into consideration of the facts and circumstances of the case and also the limited relief that has been sought for in these writ petitions, there shall be a direction to the second respondent to forward the proposal based on the representation made by the petitioners on 11.06.2018, within a period of six weeks to the first respondent and the first 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 second respondent along with a copy of the representation dated 11.06.2018, and also a copy of this order.

6. These writ petitions are disposed of with the above directions. No costs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

AT
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 - 15.

+3 Ccs to Mr.K. Jenitha, Advocate sr 13872 to 13874

+1 CC to The Special Govt. Pleader sr 13984.

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SP(17/03/2020)



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