

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 26.02.2020
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
W.P.No.4687 of 2020

S. Issac

... Petitioner

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 for the issuance of writ of mandamus, directing the respondents to appoint the petitioner as regular time scale Forest Watchers taking into account of his seniority and qualification, on par with his juniors with effect from 24.01.1995 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 09.09.2019.

For Petitioner : Mr. S. Mani
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 his juniors and in accordance with the various orders passed by this Court.

2. The case of the petitioner is that he was appointed on a daily wages based in the Forest Department as Plot Watcher / Social Forestry Worker from the period 1985-2013. This is a

non-cadre post. Subsequently, by virtue of an Order passed by the Government, the petitioner was paid in the time scale pay in the cadre of Forest Watcher. 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 31.10.2009 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 petitioner.

3. The petitioner submitted a representation to the respondents 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, learned counsel appearing for the petitioner and learned Additional Government Pleader, appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances 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 09.09.2019, 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 09.09.2019, and also a copy of this order.

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

सत्यमेव जयते -s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

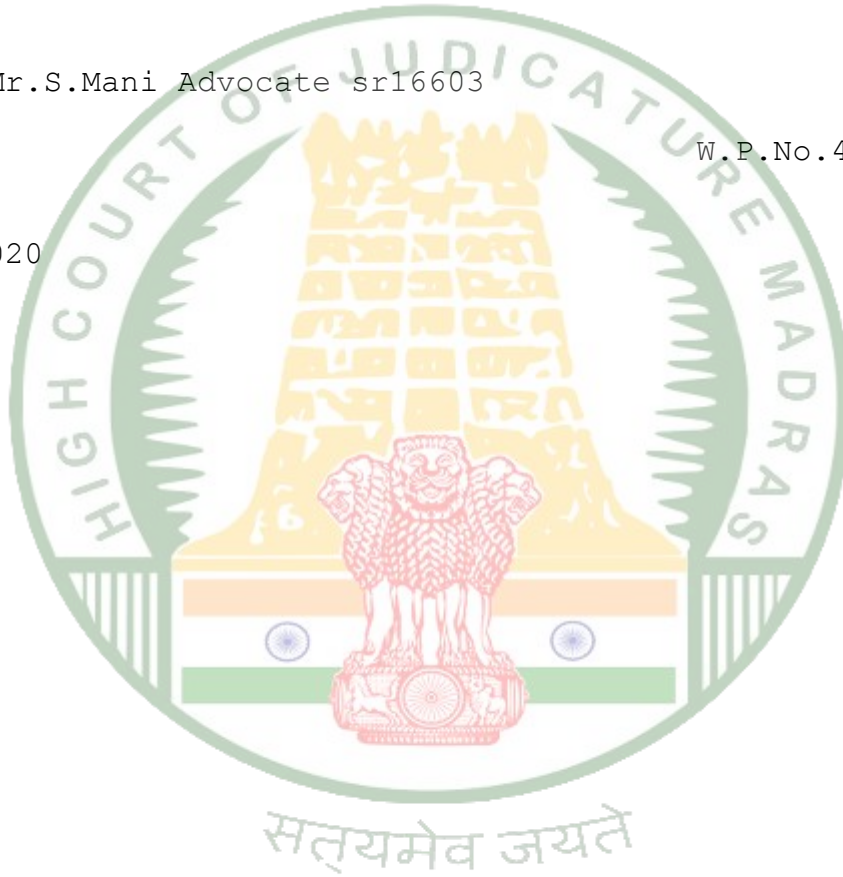
1.The Secretary,
Government of Tamil Nadu,
Environment and Forest Department,
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2.The Principal Chief Conservator of Forest,
Office at Panagal Maligai,
Saidapet, Chennai - 600 015.

+1 cc to Mr.S.Mani Advocate sr16603

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