

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 04.03.2021

CORAM:

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

W.P.No.23347 of 2009

K.Parasuraman

... Petitioner

Vs.

1.State of Tamil Nadu rep. Secretary,
Forest Department, Fort St. George,
Chennai.

2.The Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai.

... Respondents

Prayer: Petition filed under Article 226 of Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to appoint the petitioner as Plot Watcher on permanent basis as per Statewide Seniority list prepared vide G.O.Ms.No.64 dated 6.3.99 passed by the first respondent herein.

For Petitioner : Mr.K.M.Ramesh

For Respondents : Mr.S.Prabhu
Addl. Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing the second respondent to appoint the petitioner as Plot Watcher on permanent basis as per State wide Seniority list prepared vide G.O.Ms.No.64 dated 06.03.1999 passed by the first respondent herein.

2.The petitioner was engaged as Plot Watcher by the respondent Department from 01.07.1992 and according to the petitioner, he had continuously been engaged in that capacity for ten years and more and thereafter, though 3000 and odd people of that category had been regularised as Plot Watcher by the Government by virtue of the Government Order, in this regard, the petitioner was not considered for such regularisation. Therefore, in order to seek regularisation as Plot Watcher, as has been extended to similarly placed persons, the petitioner has given a representation on 12.09.2009 and the

said representation since has not been considered by the respondents, he has filed this writ petition with the aforesaid prayer.

3.The learned counsel appearing for the petitioner, having reiterated the aforesaid, has pleaded for issuance of writ of mandamus as prayed for.

4.Mr.S.Prabhu, learned Additional Government Pleader appearing for the respondents, based on the instructions as well as the relying upon the counter affidavit filed by the respondents, would submit that, though it was claimed by the petitioner that he had been engaged from 1972 and had continuously engaged 10 years and more, those who have been engaged based on the records available with the respondents office has to be verified and accordingly, the request made by the petitioner through the representation dated 12.09.2009 would be considered and decided by the respondents on merits and in accordance with law, within a time frame that may be stipulated by this Court.

5.Having considered the submission made by the learned counsel appearing for the parties and by taking the innocuous nature of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following orders.

(i) That the respondents especially the second respondent is hereby directed to consider the representation of the petitioner dated 12.09.2009 and decide the same on merits and pass orders thereon within a period of twelve weeks from the date of receipt of a copy of this order.

(ii) Since the representation is of the year 2009, a copy of the same shall be annexed by the petitioner along with the copy of this order and the same to be sent to the respondents within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the needful, as indicated above, shall be undertaken by the second respondent.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sgl

To

1.The Secretary, State of Tamil Nadu
Forest Department, Fort St. George,
Chennai.

2.The Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai.

+1cc to Mr.K.M.Ramesh, Advocate, S.R.No.13771

+1cc to the Government Pleader, S.R.No.13633

W.P.No.23347 of 2009

PCH(CO)
KM(30/04/2021)



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