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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 24.06.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8150 of 2019

A.Sakthivel

...Petitioner

Vs

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Environment and Forest Department,
Fort St. George, Chennai - 9.

2. The Principal Chief Conservator of
Forest and Head of Forest Force,
Panagal Building,
Saidapet, Chennai - 15.

3. The Conservator of Forests,
Forest Genetics Division,
Bharathi Park Salai,
Coimbatore - 641 043.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus for direction to the respondent to include my name in the State wide seniority list so as to enable them to regularize my service as per G.O.Ms.No.95, Environment and Forest Department, dated 07.08.2009 and as per G.O.Ms.No.202, Environment and Forest Department, dated 18.12.2013 in the light of the recommendation made to the third respondent in his proceedings in Na.Ka.No.483/2009 dated 18.02.2014 and by considering the representation dated 28.02.2018.

For Petitioner : Ms.Jenitha.K

For Respondents : Mr.K.V.Sajeev Kumar

O R D E R

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner's grievance is that his name has not been included in the State wide seniority list for the purpose



of regularizing his services as per G.O.Ms.No.95, Environment and Forest Department, dated 07.08.2009 and G.O.Ms.No.202, Environment and Forest Department, dated 18.12.2013. According to the petitioner, there was a recommendation made to the third respondent on 18.02.2014. Pursuant to that, the petitioner had given representations on 25.01.2015 and 28.02.2018, which were not considered and hence, the present writ petition has been filed.

3. The issue as to whether the petitioner's name could be included in the State wide seniority list is based on certain factual aspects and this Court may not be justified in stepping into the shoes of the respondent for the purpose of including the name of the petitioner. Nevertheless, if the respondents are directed to consider the petitioner's grievance in this regard within a stipulated time, the ends of justice could be secured.

4. Since the earlier representations made by the petitioner was in the years 2015 and 2018, this Court is of the view that the petitioner can be granted liberty to give a fresh representation ventilating his grievances.

5. In the light of the above observations, the petitioner is granted liberty to give a fresh representation to the concerned respondent ventilating his grievance and on receipt of the same, the respondent shall consider the same on its own merits and take appropriate course of action in accordance with law, within a period of three months from the date of receipt of a copy of the representation.

6. Accordingly, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

hvk

To

1. The Secretary to Government,
Environment and Forest Department,
Fort St. George, Chennai - 9.
2. The Principal Chief Conservator of
Forest and Head of Forest Force,
Panagal Building,
Saidapet, Chennai - 15.



3. The Conservator of Forests,
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RLD(CO)
RLP(19/07/2021)