



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.18370 of 2021

(Through Video Conferencing)

I.Muthu @ Siluvainathan

... Petitioner

Vs

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

2. The Pirncipal Chief Conservator of Forest,
Panagal Building, Saidapet,
Chennai - 15.

3. The District Forest Officer,
Athur Forestry Division, Athur.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to appoint petitioner as regular time scale Forest Watchers taking into account of petitioner seniority, on par with my juniors with effect from 24.01.1995 for the purpose of getting pension by implementing order made in W.P.No.22768 of 2014 dated 22.08.2014 with all consequential benefits.

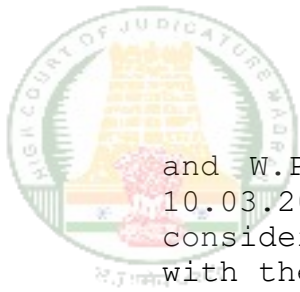
For Petitioner : Mr.K.Jenitha

For Respondents : Mr.L.S.M.Hasan Fizal
Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

2.It is noticed that a similar Writ Petitions were filed by P.Sundaram and P.Govindan and 23 others in W.P.No.15561 of 2006



and W.P.No.23374 of 2008 which were disposed by orders dated 10.03.2008 and 30.10.2009 respectively with a direction to consider their claim for appointment as a Forest Watchers on par with their juniors.

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3.Further appeals against the aforesaid orders were also dismissed by the Hon'ble Division Bench of this Court in its Judgment dated 13.10.2009 & 29.03.2010 in W.A.No.690 of 2008 and W.A.No.607 of 2010 respectively.

4.The petitioner had filed W.P.No.22768 of 2014 which came to be disposed along with a batch of other writ petitions in W.P.Nos.22762 to 22769 of 2014 vide order dated 22.08.2014. In paragraph 5 it was held as under:-

5.Considering the fact that the petitioner's juniors were already regularised, even before the petitioners could get regularised, as per the decision referred to above, it is appropriate to direct the respondents to regularise the service of the petitioners on par with their juniors as Forest Watchers, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioners are entitled to only regularisation from the date on which, the juniors were regularised and they are not entitled to any monetary benefits from that date.

5.Though order has been passed as early as 22.08.2014, the petitioner has not been appointed as a regular Forest Watcher while some of his contemporaries and juniors have already been appointed and promoted as Forest Guards. The petitioner has also sent several representations which has not evoked any positive response from the respondents.

6.Considering the fact, that already an order has been passed by this Court in writ petitions filed by the petitioner and others, the respondents have to comply with the same in absence of an order reversing the same.

7.Therefore, this writ petition is disposed by directing the respondent to implement the order dated 22.08.2014 in the writ



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petition filed by the petitioner within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
State of Tamil Nadu,
Environment and Forest Department,
Fort St.George, Chennai - 9.
2. The Principal Chief Conservator of Forest,
Panagal Building, Saidapet,
Chennai - 15.
3. The District Forest Officer,
Athur Forestry Division, Athur.

+1CC to M/s.K.Jenitha, Advocate, Sr.No.44827

W.P.No.18370 of 2021

BP (CO)

K.RK. (29.11.2021)