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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

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THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.22266 of 2021

and

W.M.P.No.23478 of 2021

(Through Video Conferencing)

1. M.Karuppaiah

2. K.Malairaj

3. M.Kalyanasundram

4. N.Panneerselvam

5. M.Kumar

6. V.Subramanian

7. R.Muthukumarasamy

8. S.Ramasamy

9. P.Tamilmani

10.E.Mariya Jebamalai

... Petitioners

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
& Head of Forest Force,
Panagal Building, Saidapet,
Chennai - 15.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, to direct the respondents to appoint the petitioners in the cadre post of Forest Watcher by giving the benefit of relaxation of height



rule with effect from the date of their juniors appointment in the post of Forest Watcher on 24.01.1995 and 08.03.1999 by considering their representation dated 04.01.2021 in the light of the order passed in W.P.No.9708 of 2014 dated 12.09.2014, W.P.No.25274 of 2014 dated 17.09.2014, W.A.No.1703 of 2014 dated 20.01.2015, SLP (Civil) No.12056 of 2015 dated 05.07.2016, G.O. (Ms) No.138. E & F (FR2-II) Dept dated 22.11.2019 with all consequential benefits.

For Petitioners : M/s.K.Jenitha

For Respondents : Mr.L.S.M.Hasan Fizal, Govt. Adv.

O R D E R

This Writ Petition has been filed for issuance of a Writ of Mandamus, to direct the respondents to appoint the petitioners in the cadre post of Forest Watcher by giving the benefit of relaxation of height rule with effect from the date of their juniors appointment in the post of Forest Watcher on 24.01.1995 and 08.03.1999 by considering their representation dated 04.01.2021 in the light of the order passed in W.P.No.9708 of 2014 dated 12.09.2014, W.P.No.25274 of 2014 dated 17.09.2014, W.A.No.1703 of 2014 dated 20.01.2015, SLP (Civil) No.12056 of 2015 dated 05.07.2016, G.O. (Ms) No.138. E & F (FR2-II) Dept dated 22.11.2019 with all consequential benefits.

2. The learned counsel for the petitioners submits that the issue is no longer res integra and is covered by the order of this Court in W.P.No.9708 of 2014 dated 12.09.2014 and in W.P.Nos.25271 to 25278 of 2014 dated 17.09.2014. The learned counsel further submits that the said order dated 12.09.2014 in W.P.No.9708 of 2014 was confirmed by the Division Bench of this Court by its Judgment dated 20.01.2015 in W.A.No.1703 of 2014 and by the Hon'ble Supreme Court by its order dated 05.07.2016 in SLP (Civil) No.12056 of 2015.

3. The learned counsel for the petitioner further submits that several orders have been passed by this Court following the above mentioned orders and recently a Writ Petition in W.P.No.21799 of 2021 was allowed on 08.10.2021.

4. The learned Government Advocate appearing for the respondents confirms the same.

5. In view of the above, this Writ Petition is allowed with consequential relief to the petitioners. The respondents are directed to give effect to this order within a period of twelve



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weeks from the date of receipt of a copy of this order. No cost.
Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

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

+1cc to Mr.K.Jenitha, Advocate, S.R.No.54153

+1cc to the Government Pleader (Forest), S.R.No.54025

W.P.No.22266 of 2021 and
W.M.P.No.23478 of 2021

KV(CO)
SU(10/11/2021)