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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.23575 of 2021

(Through Video Conferencing)

R.Paulsamy

...Petitioner

Vs

1. The Government of Tamil Nadu,
Rep by its Secretary,
Environment and Forest Department,
Fort St. George, Chennai 600009.

2. The Principal Chief Conservator of Forests,
Panagal Maaligai, Jeenai Road,
Saidapet, Chennai 15.

...Respondents

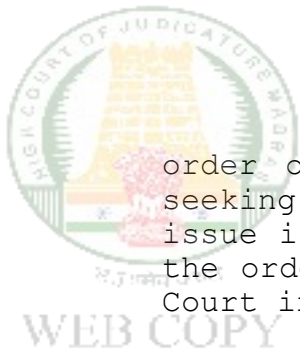
Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to regularize the service of the petitioner as Forest Watcher from 24.01.1995 notionally for purpose of getting pension by taking into account their seniority and qualification, on par with their juniors Mr.Karuppan, 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 29.03.2010 and proceedings of the 2nd respondent dated 07.01.2011 and W.P.No.22762 of 2014 dated 22.08.2014 and W.P.No.24 of 2016 dated 05.01.2016 and W.P.No.37631 of 2016 dated 26.10.2016 and W.P.No.32571 of 2018 dated 11.12.2018 and W.P.No.18771 of 2019 dated 30.08.2019 and order in W.P.No.19020 of 2021 dated 09.09.2021.

For Petitioner : Mr.S.Mani

For Respondents : Mr.V.P.R.Elamparithi for R1 & R2
Government Advocate

O R D E R

This writ petition is disposed at the time of admission in view of the fact that under similar circumstances, the prior relief has been given to the petitioner by filing several other



order of this Court. This is a case where the petitioner is seeking for retrospective regularization. It is noticed that issue is now covered by an order of this Court including that of the order passed in W.P.No.19020 of 2021 dated 09.09.2021. This Court in W.P.No.19020 of 2020 has ordered as follow:-

'Both the learned counsel for the petitioners and the learned Government Advocate for the respondents submits that the issue is now squarely covered by the following decisions of this Court:-

(i) J.Pandian and others Vs Government of Tamil Nadu and another, passed in W.P.Nos.22762 to 22769 of 2014 dated 22.08.2014.

(ii) C.Thangaraju and others Vs Government of Tamil Nadu and another, passed in W.P.No.24 of

2016 dated 05.01.2016.

(iii) C.Elumalai and others Vs Government of Tamil Nadu and another, passed in W.P.No.37631 of 2016 dated 26.10.2016.

(iv) M.Tamilvendhan and others Vs Government of Tamil Nadu and another, passed in W.P.No.32571 of 2018 dated 11.12.2018.

(v) P.Asokan and others Vs Government of Tamil Nadu and another, passed in W.P.Nos.18771 of 2018 etc batch dated 30.08.2019

2. The petitioners have also sent a representation dated 01.03.2021 asking the respondents to promote them on par with their immediate juniors who were promoted as Forest Watchers on 24.01.1995 though the petitioners were promoted much later on 07.08.2009.

3. Since the prayer in this writ petition is confined for seniority and for monetary benefits, this Writ Petition is allowed in terms of the orders passed by this Court cited above.

4. The second respondent is directed to make necessary corrections in the pension



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papers of the petitioners and give relief to the petitioners with effect from the date on which the petitioners junior Mr.R.Karuppan was promoted. No costs. Consequently, connected Writ Miscellaneous Petition is closed.''

2.Since the issue is squarely covered in favour of the petitioner, this writ petition is allowed by directing the respondents to give appropriate benefits to the petitioner as prayed for in this writ petition within a period of six weeks from the date of receipt of a copy of this order.

3.This writ petition is allowed with the above observations. No costs.

Sd/-
Assistant Registrar(CS IV)

True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Environment and Forest Department,
Fort St. George,
Chennai 600009.
2. The Principal Chief Conservator of Forests,
Panagal Maaligai, Jeenis Road,
Saidapet,
Chennai 15.

+1cc to Mr.S.Mani, Advocate, S.R.No.56806
+1cc to the Government Pleader, S.R.No.57039

W.P.No.23575 of 2021

CP[co]
NSK 06/12/2021