



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.16830 of 2017

and

W.M.P (MD)No.13423 of 2017

WEB COPY

K.Selvarasu

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Environment and Forest Department,
Rep. By its Secretary,
Fort St.George,
Chennai-600 009.

2.The Chief Conservator of Forest,
No.1, Jenis Street,
Panakal Maligai,
Saidapet,
Chennai-600 015

3.The Additional Director and Dean,
Tamil Nadu Forestry Training College,
Vaigai Dam, Theni District.

4.The Chief Forest Officer,
Tamil Nadu Forestry Training College,
Vaigai Dam, Theni District.

5.The Forest Ranger,
Estate Range,
Tamil Nadu Forestry Training College,
Vaigai Dam, Theni .

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant regularization and continuation of service as per G.O.Ms.No.202, Environment and Forest (Forest-2) Department, dated 18.12.2013, W.P. (MD)No.9496 of 2012 dated 04.07.2014, proceeding of the third respondent in Na.Ka.No.2588/2012.Ka. dated 28.08.2014, letters No.2588/2012.Ka., dated 27.09.2014 and 21.11.2014 as well as the proceedings of the Chief Conservator of Forest/2nd respondent herein in L.L.2/25113/2014, dated 24.11.2014 with all benefits, back wages and emoluments as done in favour of the petitioner in W.P. (MD) No.9497 of 2012, dated 04.07.2014.



For Petitioner : Mr.P.Sivachandran
For Respondents : Mr.M.Muthugeethaiyan
Special Government Pleader

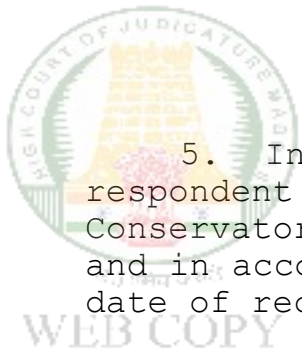
O R D E R

WEB COPY This writ petition has been filed for a direction to the respondents to grant regularization and continuation of service to the petitioner, as per G.O.(Ms).No.202, Environment and Forest (Forest-2) Department, dated 18.12.2013, with all benefits, back wages and emoluments as done in favour of the petitioner in W.P.(MD) No.9497 of 2012, dated 04.07.2014.

2. The case of the petitioner is that he was employed as Plot Watcher (Gardener) from 01.03.2001 and posted at Tamil Nadu Forestry Training College, Vaigai Dam, Theni District and he has rendered more than 11 years of service. However, on 15.04.2012, the fifth respondent orally refused to engage the petitioner in the said post. Therefore, the petitioner has made a representation to the third respondent, on 08.06.2012, requesting him to provide employment as Plot Watcher (Gardener) in the respondents Department. Since no order was passed by the third respondent, the petitioner has filed a writ petition in W.P.(MD).No.9496 of 2012. This Court, by order dated 04.07.2014, directed the third respondent to consider the petitioner's representation, dated 08.06.2012 and pass appropriate orders, keeping in mind the Government Order issued in G.O.(Ms). No.202, Environment and Forest Department, dated 18.12.2013. However, the said order was not complied with. Hence, the petitioner has filed a contempt petition before this Court in Cont.P.(MD). No.352 of 2015 and this Court, by order dated 31.03.2015, closed the contempt petition, recording the statement made by the learned Government Advocate that the order passed by this Court has been complied with by the first respondent, by sending a proposal dated 21.11.2014, to the Principal Conservator of Forests, who in turn through proceedings dated 24.11.2014, has addressed the Secretary to Government to pass appropriate orders, on the proposal sent by the first respondent. Though the order was passed on 31.03.2015, till date no order was passed by the Secretary to Government. Hence, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the first respondent to consider the petitioner's request.

4. The learned Special Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.



5. In view of the above, this Court directs the first respondent to consider the proposal submitted by the Principal Conservator of Forests, dated 24.11.2014 and pass orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

To

- 1.The Secretary,
Government of Tamil Nadu,
Environment and Forest Department,
Fort St.George,
Chennai-600 009.
- 2.The Chief Conservator of Forest,
No.1, Jenis Street,
Panakal Maligai,
Saidapet,
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- 3.The Additional Director and Dean,
Tamil Nadu Forestry Training College,
Vaigai Dam, Theni District.
- 4.The Chief Forest Officer,
Tamil Nadu Forestry Training College,
Vaigai Dam, Theni District.
- 5.The Forest Ranger, Estate Range,
Tamil Nadu Forestry Training College,
Vaigai Dam, Theni District.

+1 CC to M/s.SPL GP (SR-11986[F] dated 17/03/2021)

W.P. (MD)No.16830 of 2017

16.03.2021

pm(CO)

TR(23.06.2021) 3P 7C

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