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W.P.No.6209 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.6209 of 2021

P.Viswanathan

... Petitioner

versus

1. The State of Tamil Nadu,
represented by its Secretary to Government,
Environment and Forest Department,
Fort St.George, Chennai-600 009.

2. The Principal Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai - 600 015.

... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus directing the respondents to appoint the petitioner in the cadre post of Forest Watcher by giving the benefit of relaxation of height rule with effect from the date of our junior's appointment in the post of Forest Watcher on 24.01.1995 by considering the petitioner's representation dated 16.09.2020 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 and Ref.No.LL2/31604/2014 dated 10.02.2020 and also G.O.Ms.No.49, Environment and Forests (FR2-II) Department dated 01.09.2020 with all consequential benefits.



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For Petitioner : Ms.K.Jenitha
For Respondents : Ms.Jayanthy
AGP

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to appoint the petitioner in the cadre post of Forest Watcher by giving the benefit of relaxation of height rule with effect from the date of his junior's appointment in the post of Forest Watcher on 24.01.1995 based on the petitioner's representation dated 16.09.2020.

2. Heard Ms.K.Jenitha, learned counsel for the petitioner and Ms.Jayanthy, learned Additional Government Pleader accepts notice on behalf of the respondents.

3. The petitioner also relies upon the order passed by this Court 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 and Ref.No.LL2/31604/2014 dated 10.02.2020 and also G.O.Ms.No.49, Environment and Forests (FR2-II) Department dated 01.09.2020 to substantiate his claim. It is for the respondents to consider the same and decide as to whether the orders/Government Orders relied upon by the petitioner are



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applicable to the case of the petitioner or not.

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4. No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 16.09.2020, seeking for his appointment in the cadre post of Forest Watcher by giving the benefit of relaxation of height rule with effect from the date of his junior's appointment in the post of Forest Watcher on 24.01.1995 within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, the writ petition is disposed of. No costs.

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sr

Index: Yes/No

Speaking Order/Non-Speaking Order



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ABDUL QUDDHOSE,J.

sr

To

- 1.The State of Tamil Nadu,
represented by its Secretary to Government,
Environment and Forest Department,
Fort St.George, Chennai-600 009.
2. The Principal Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai-600015

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