



W.P.No.16966 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16966 of 2019

R.Barnabas

... Petitioner

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

3. The District Forest Officer,
Villupuram Forest Division,Villupuram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondents to consider the petitioner's representation with regard to appointment in the post of Forest Watcher with effect from the date of his juniors appointment as Forest Watcher with all consequential benefits within time frame.

For Petitioner : Mrs.Jenitha K.

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader



W.P.No.16966 of 2019

ORDER

WEB COPY The petitioner joined as a Plot Watcher in the Forest Department.

Pursuant to the Government Order issued in G.O.Ms.No.64, for preparation of State wide seniority list of Plot Watchers/Social Forestry Workers for granting regularisation of their service in the sanctioned post in the time scale of pay in a phased manner.

2. Based on the State wide seniority list, the eligible Plot Watchers appointed on temporary basis were absorbed based on the government order. Accordingly, the petitioner was also absorbed as a Supernumerary Plot Watcher on regular basis and with the time scale of pay.

3. While so, the petitioner made a submission that he is entitled for promotion to the post of Forest Watcher on regular basis. In this regard, the authorities have verified his qualifications including his height and chest measurements which are the requisite qualification for appointment to the post of Forest Watcher. While taking measurements, the petitioner was not within the required height and accordingly, he was not considered for regular appointment to the post of Forest Watcher.



W.P.No.16966 of 2019

WEB COPY

4. The petitioner filed the present writ petition stating that he is fully qualified and eligible for the post of Forest Watcher and the authorities have erroneously taken measurements in respect of the height of the writ petitioner and thus, the case is to be considered for his regular appointment to the post of Forest Watcher.

5. In view of the discrepancy, this Court passed an interim order on 02.11.2022, directing the District Forest Officer to take re-measurement in respect of the height and chest expansion of the writ petitioner, for the purpose of deciding the eligibility of the writ petitioner for appointment to the post of Forest Watcher.

6. The learned Additional Government Pleader appearing on behalf of the respondents filed an additional counter affidavit stating that re-measurement was taken pursuant to the interim order passed by this Court and as per the re-measurement, the height of the petitioner is measured as 161.1 cm and the chest expansion is measured as 5 cm. In view of the fact that the requisite height is 163 cm, the petitioner is not having the requisite qualification for regular appointment to the post of



W.P.No.16966 of 2019

Forest Watcher. That apart, the petitioner is now aged about 57 years, and therefore, he cannot be considered for appointment to the post of Forest Watcher.

7. With these observations, this writ petition stands **dismissed**.

There shall be no order as to costs.

Index : Yes
Speaking order
sha

08.11.2022

To

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
and Head of Forest Force, Panagal Building,
Saidapet, Chennai – 15.
3. The District Forest Officer,
Villupuram Forest Division, Villupuram.



WEB COPY



W.P.No.16966 of 2019

S.M.SUBRAMANIAM.J.,

sha

W.P.No.16966 of 2019

08.11.2022