



WEB COPY

W.P.No.27353 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.27353 of 2022

P.Nagaraj

... Petitioner

vs.

- 1 The Secretary to Government,
Environment and Forest Department,
Fort St.George, Chennai - 09.
- 2 The Principle Chief Conservator of Forests,
Office at Panagal Building
Saidapet Chennai -15.
- 3 Chief Conservator of Forest Cum Deputy Director
Anaimalai Tiger Reserve Forest,
Pollachi.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the respondent to appoint the petitioner in the cadre post of forest watcher on par with his junior S.Sahul Hameed with effect from 24.01.2015 and as per recommendation made by the 2nd Respondent in Na.Ka.No. 3119/2017/pa dated 22.04.2019 by considering his representation dated 02.11.2021 and in the light of the proceedings dated 18.12.2014 and 30.12.2014 of the conservator of forest Coimbatore and 3rd



respondent to give appointment to cadre post of forest watcher with all other consequential benefits.

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For Petitioner : Mr.S.Mani

For Respondents : Mr.T.Seenivasan,
Special Government Pleader

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 on par with his juniors with effect from 24.01.2015.

2. Mr.T.Seenivasan, learned Special Government Pleader accepts notice on behalf of the respondents. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

3. The case of the petitioner is that earlier he was appointed as a plot watcher and he was terminated from service thereafter. The petitioner had challenged his termination before the Labour Court and the Labour Court had set aside his termination. According to the petitioner, his juniors have been found promoted as forest watcher with effect from 24.01.2015.



Therefore, according to the petitioner, he will also have to be appointed as forest watcher on par with his juniors. In such circumstances, he has given a representation dated 02.11.2021 to the respondents. Since the representation has not been considered till date, the petitioner has filed this writ petition.

4. Heard Mr.S.Mani, learned counsel for the petitioner and Mr.T.Seenivasan, learned Special Government Pleader appearing for the respondents.

5. Learned Special Government Pleader appearing for the respondents has produced proceedings of the third respondent dated 23.04.2022 wherein, the Deputy Director, Anaimalai Tiger Reserve Forest has forwarded a proposal to the second respondent on 23.04.2022 to appoint the petitioner as a Forest Watcher on par with his juniors.

6. Since the proposal has already been forwarded, this Court is of the considered view that no prejudice would be caused to the respondents, if a



direction is issued to the second respondent to pass final orders on the proposal sent by the third respondent with regard to the petitioner's appointment as a Forest Watcher within a time frame to be fixed by this Court.

7. For the foregoing reasons, this Court directs the second respondent to pass final orders on the third respondent's proposal dated 23.04.2022 seeking for appointment of the petitioner as a Forest Watcher within a period of twelve weeks from the date of receipt of a copy of this Order.

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

18.10.2022

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Index:Yes/No
Speaking/Non-speaking orders



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ABDUL QUDDHOSE, J.

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