



WEB COPY



W.P.No.29010 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022
CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.29010 of 2022

1. K.Rajamanickam,
S/o Kandasamy
Plot Watcher, (Supernumerary Post)
Thirupathur Sandal Wood Depot,
Thirupathur District.
2. M.Krishnan,
W/o M.Munusamy,
Plot Watcher (Supernumerary Post),
Thirupathur Sandal Wood Depot,
Thirupathur District.
3. S.Veerappan,
S/o Sangam,
Cook, (Supernumerary Post)
Thiruvannamalai Division,
Vellore Circle.
4. G.Venkatesan,
S/o Govindan,
Night Watchmen, (Supernumerary Post)
Thirupathur Range and Division.
5. C.Gopal,
S/o Chinnakutty,
Mali, Dharmapuri Range,
Dharmapuri Division and Circle.



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6. P.Selvaraj,
S/o Perumal,
Plot Watcher, (Supernumerary Post)
Thirupathur Range,
Thirupathur Division and Circle.
7. D.Swaminathan
S/o Duraisami,
Mali,
Thirupathur Range and Division.
8. S.Murugan,
S/o Sarjan Singh,
Mali, Jeen Pool Range,
Cuddalore Division,
Nilgiris District.
9. K.Rajamanickam,
S/o Kulandai,
Night Watchman, (Supernumerary Post)
Singarapettai Range,
Thirupathur Division and Circle.
10. V.Nandagopal,
S/o Venkadapathy,
Plot Watcher, (Supernumerary Post),
Vaniyampadi Range,
Vellore Division and Circle.
11. D.Raman,
S/o Desappan,
Plot Watcher, (Supernumerary Post),
Krishnagiri Range,
Hosur Division.

... Petitioners



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Vs

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1. Government of Tamilnadu,
rep. by its Secretary,
Environment and Forest Department,
Fort St.George,
Chennai - 600 009.
2. The Principal Chief Conservator of Forests,
Panagal Maaligai, Jeenis Road,
Saidpet,
Chennai - 600 015.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to regularise the petitioners service in the cadre of Forest Watcher for the purpose of getting minimum pension/ Family pension by giving relaxation in respect of height on par with juniors namely P.Karuppiyah, S.No.4608 with effect from 24.01.1995 in the light of the order passed by this Hon'ble High Court in W.P.No.23647 of 2013 dated 12.09.2014 and the same was affirmed by Division Bench in W.A.No.2072 of 2018 dated 11.08.2021 and implementation order passed by the 1st respondent in G.O.(2D) No.09 Environment, Climate Change and Forest (FR.2(II)) Department dated 08.02.2022 within a time limit that may be fixed by this Hon'ble Court.

For Petitioners ... Mr.S.Mani

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



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ORDER

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This writ petition has been filed for a Mandamus seeking for a direction to the respondents to regularise the petitioners' service in the cadre of Forest Watchers for the purpose of getting maximum pension/family pension by relaxing in respect of height on par with junior namely P.Karuppan Serial No.4608 with effect from 24.01.1995 in the light of the order passed by this Court in W.P.No.23647/2013 dated 12.09.2014 affirmed by the Division Bench in W.A.No.2072/2018 dated 11.08.2021 and by implementation of the G.O.(2D).No.09 Environment Climate Change and Forest (FR.2(II)) Department, dated 08.02.2022, within a time frame to be fixed by this Court.

2. The petitioners claim that they have to be regularised in service as Forest Watchers along with their junior as per the aforementioned orders passed by this Court as well as the aforementioned Government Order. According to the petitioners despite several representations, they have not been regularised as per the aforementioned orders passed by this Court. In the said circumstances, he has filed this writ petition.

3. Heard Mr.S.Mani, learned counsel for the petitioners and



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Mr.T.Seenivasan, learned Special Government Pleader, accepts notice on behalf of the respondents.

4. At the outset, the learned Special Government Pleader appearing for the respondents would submit that the petitioners will have to give a fresh representation and once such a representation is given, the respondents shall consider the same on merits and in accordance with law in the light of the aforementioned orders passed by this Court and the aforementioned G.O.

5. No prejudice would be caused to the respondents, if the petitioners are allowed to give a fresh representation and a direction is issued to the respondents to consider the same on merits and in accordance with law in the light of the aforementioned orders passed by this Court and in the light of the aforementioned G.O.

6. For the foregoing reasons, this Court directs the petitioners to submit a fresh representation to the 1st respondent seeking regularisation of their service as Forest Watchers by giving relaxation in respect of the height on par with their junior P.Karuppiyah, Serial No.4608 with effect from 24.01.1995, in the light of the order passed by this Court in



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W.P.No.23647/2013 dated 12.09.2014 affirmed by the Division Bench of this Court in W.A.No.2072/2018 dated 11.08.2021 and implementation of the order passed by the 1st respondent in G.O.(2D).No.09 Environment, Climate Change and Forest (FR.2(II)) Department dated 08.02.2022 within a period of one week from the date of receipt of a copy of this order and the 1st respondent shall pass final orders on merits and in accordance with law, in the light of the aforementioned orders passed by this Court as well as the aforementioned G.O. within a period of twelve weeks thereafter.

7. With the aforesaid direction, the Writ Petition is disposed of. No costs.

03.11.2022

Index: Yes/ No
Speaking Order/Non-speaking Order
vsi

(1/2)

To

1. Government of Tamilnadu,
rep. by its Secretary,
Environment and Forest Department,
Fort St.George,
Chennai - 600 009.



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2. The Principal Chief Conservator of Forests,
Panagal Maaligai, Jeenis Road,
Saidpet,
Chennai - 600 015.



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ABDUL QUDDHOSE, J.

vsi

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