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W.P.No.31443 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.31443 of 2022

1.L. Kuppusamy

2.S. Ravi

.. Petitioners

Vs.

1.Government of Tamil Nadu,
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,
Saidapet, Chennai – 015.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to regularize the service of the petitioners as Forest Watcher from 24.01.1995 notionally for purpose of getting pension by taking into account their seniority and qualification, on par with their juniors namely last junior one Mr.P. Karuppiah, in the light of the orders passed in W.P.No.15561 of 2006 dated 10.03.2008, W.A.No.690 of 2008 dated 13.10.2009, W.P.No.23374 of 2008 dated 30.10.2009, W.A.No.607 of 2010 dated 29.03.2010 and



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proceedings of the 2nd respondent dated 07.01.2011 and light of the order passed in W.P.No.28327 of 2022 dated 27.10.2022.

For Petitioners : 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 regularize the services of the petitioners as Forest Watcher from 24.01.1995 notionally for the purpose of getting pension by taking into account their seniority and qualification, on par with their juniors, based on their representation, within a time frame to be fixed by this Court.

2. Heard Mr.S. Mani, learned counsel for the petitioners. Mr.T.Seenivasan, learned Special Government Pleader, accepts notice on behalf of the respondents. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.



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3. The petitioners rely upon the orders passed by this Court in W.P.No.15561 of 2006 dated 10.03.2008, W.A.No.690 of 2008 dated 13.10.2009, W.P.No.23374 of 2008 dated 30.10.2009, W.A.No.607 of 2010 dated 29.03.2010 and proceedings of the second respondent dated 07.01.2011 and W.P.No.28327 of 2022 dated 27.10.2022 to substantiate their claim.

4. No prejudice will be caused to the respondents if the petitioners' joint representation is considered on merits and in accordance with law, after giving due consideration to the aforementioned orders passed by this Court, which the petitioners rely upon. However, since no acknowledgment has been produced by the petitioners for having sent the representation, they will have to send a fresh representation.

5. Learned counsel for the petitioners, on instructions, would now submit that the petitioners are willing to submit a fresh representation.

6. For the foregoing reasons, this Court directs the petitioners to submit a fresh representation, seeking for regularization of their services as



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Forest Watchers from 24.01.1995 notionally for the purpose of getting pension by taking into account their seniority and qualification on par with their juniors, within a period of one (1) week from the date of receipt of a copy of this order. On receipt of such representation, the first respondent shall pass final orders on merits and in accordance with law, within a period of twelve (12) weeks thereafter, after giving due consideration to the orders passed by this Court, referred to supra. It is for the respondents to decide as to whether those orders are applicable to the case of the petitioners or not.

7. With the aforesaid direction, this Writ Petition stands disposed of.

No costs.

24.11.2022
(½)

Speaking/Non-speaking order

Index: Yes/No

Internet: Yes/No

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To

1. Secretary to Government of Tamil Nadu,
Environment and Forest Department,
Fort St. George, Chennai – 600 009.
2. The Principal Chief Conservator of Forests,
Panagal Maaligai, Jeenis Road,
Saidapet, Chennai – 015.



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ABDUL QUDDHOSE,J.

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