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W.P.No.33741 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2022

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.33741 of 2022

- 1.K.Govindasamy
- 2.S.Ganesan
- 3.V.Balan
- 4.G.Ponnirusan
- 5.S.Veerabagu
- 6.K.P.Natarajan
- 7.G.Manickam
- 8.C.Muppudathi
- 9.R.Sangili
- 10.U.Karnan

... Petitioners

Vs.

- 1.The State of Tamil Nadu,
Rep 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-015.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the



respondents to consider the petitioners representation dated 07.03.2022 in respect of regularisation of their service as Forest Watcher from 24.01.1995 notionally for purpose of getting pension by taking into account of their seniority and qualification, on par with their juniors namely one Mr.P.Karuppiah, with effect from 24.01.1995 in the light of the orders passed in WP No.15561 of 2006 dated 10.03.2008, WA 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 2nd respondent dated 07.01.2011 and WP No.19020 of 2021 dated 09.09.2021.

For Petitioners : Ms.K.Jenitha

For Respondents : Mr.Stalin Abimanyu
Additional Government Pleader

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to regularise the services of the petitioners as 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 with effect from 24.01.1995 based on the representation within a time frame to be fixed by this Court.



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2. Heard Ms.K.Jenitha, learned counsel for the petitioners and Mr.Stalin Abimanyu, learned Additional Government Pleader accepts notice on behalf of the respondents. By consent of both the parties, the main writ petition has been taken up for final disposal.

3. The petitioners rely upon the order passed by this Court in WP No.15561 of 2006 dated 10.03.2008, WA 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 2nd respondent dated 07.01.2011 and WP No.19020 of 2021 dated 09.09.2021 to substantiate their claim.

4. No prejudice would be caused to the respondents if the petitioners' 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 acknowledgement has been produced by the petitioners for having sent the representation, they will have to send a fresh representation.



W.P.No.33741 of 2022

WEB COPY

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 regularisation of their services as 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 with effect from 24.01.1995 within a period of one week from the date of receipt of a copy of this order and on receipt of such representation, the second respondent shall pass final orders on merits and in accordance with law within a period of twelve 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 aforementioned directions, this Writ Petition is disposed of. No Costs.

15.12.2022

Index : Yes/No
Speaking Order : Yes / No
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W.P.No.33741 of 2022

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W.P.No.33741 of 2022

ABDUL QUDDHOSE. J.,

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W.P.No.33741 of 2022

**15.12.2022
(1/2)**