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W.P.No.33050 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.12.2022

Coram

The HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.No.33050 of 2022
and W.M.P.No.32461 of 2022

1.S.Amirtham
2.A.Sankar
3.G.Venkatesan

.. 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 – 15.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a 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 proceedings of the 2nd respondent Ref.No.LL1/61824/2008 dated 07.01.2011.



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For Petitioners : Mr.S.Mani
For Respondents : Mr.Stalin Abimanyu
Addl. Govt. 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.

2. Mr.Stalin Abimanyu, learned Additional Government Pleader accepts notice on behalf of the respondents.

3. By consent of both the parties, the main writ petition has been taken up for final disposal in the admission stage itself.

4. 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



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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.

5. No prejudice would 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 acknowledgement has been produced by the petitioners for having sent the representation, they will have to send a fresh representation.

6. Heard Mr.S.Mani, learned counsel for the petitioners and Mr.Stalin Abimanyu, learned Additional Government Pleader appearing for the respondents.

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



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8. For the foregoing reasons, this Court directs the petitioners to submit a fresh representation, seeking for regularisation of their services 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 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 first 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.

9. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index:Yes/No
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To

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- 1.The Secretary,
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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