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W.P. No.713 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.713 of 2023

1. R. Srinivasan
2. S. Madhappan

.. Petitioners

vs.

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

2. The Principal Chief Conservator of Forest,
Environment and Forest Department,
Office at Panagal Maligai,
Saidapet,
Chennai - 600 015.

.. Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to regularise the petitioners service in the cadre of forest watcher for purpose of getting minimum pension / Family pension by giving relaxation in respect of height on par with juniors namely P.Karuppian 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 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 (F.R. 2(II)



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Department dated 08.02.2022 basis of their joint representation dated 09.09.2022.

For Petitioners : Mr.S. Mani
For Respondents : Mr.R.U. Dinesh Rajkumar,
Addl. Govt. Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

2. Mr.R.U. Dinesh Rajkumar, learned Additional Government Pleader accepts notice for the respondents.

3. 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 minimum pension/family pension by giving relaxation in respect of height on par with their junior namely P.Karupiah, Serial No.4608 with effect from 24.01.1995 in the light of the order passed by this Court in W.P.No.23647 of 2013 dated 12.09.2014, affirmed by the Division Bench in W.A.No.2072 of 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.

3. The petitioners claim that they have to be regularised in service



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as Forest Watchers along with their juniors 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, they have filed this writ petition.

4. Heard Mr.S.Mani, learned counsel for the petitioners and Mr.R.U. Dinesh Rajkumar, learned Additional Government Pleader for the respondents.

5. At the outset, the learned Additional 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.

6. 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.

7. For the foregoing reasons, this Court directs the petitioners to



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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 namely P.Karuppiah, Serial No.4608 with effect from 24.01.1995, in the light of the order passed by this Court in W.P.No.23647 of 2013 dated 12.09.2014, affirmed by the Division Bench of this Court in W.A.No.2072 of 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 on receipt of the representation, 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.

8. With the aforesaid directions, this writ petition is disposed of.

No costs.

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Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

Neutral citation case : Yes / No

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ABDUL QUDDHOSE, J.

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To :

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

2. The Principal Chief Conservator of Forest,
Environment and Forest Department,
Office at Panagal Maligai,
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