



WEB COPY



W.P. No.1165 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

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1. N. Sekar
2. R. Sekar
3. T. Arumugam
4. V. Kamaraj
5. S. Palani
6. K.Mani
7. M. Periyasamy
8. I. Muhammed Vakkil
9. K. Ayyanthurai
10. K. Chinna Ramaiah
11. K. Shanmugam

... Petitioners

vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Environment and Forest Department,
Fort. St. George,
Chennai - 9.

2. The Principal Chief Conservator of Forests,
(Head of Forest Force),
Forest Headquarters,
Velachery main Road,
Guindy,
Chennai- 600 032.

.. Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India,
to issue a Writ of Mandamus directing the respondents to appoint us as a



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regular time scale Forest Watchers taking into account of petitioners' seniority, on par with our junior with effect from 24.01.1995 for the purpose of getting pension by considering their representation dated 09.08.2022 in the light of the order passed in W.P. No.27598 of 2011 dated 05.02.2013, W.P. No.21574 of 2021 dated 06.10.2021, Proceedings in Ref. No.LL2/54670/2011, dated 28.09.2013 and G.O. (2D) No.96, Environment, Climate Change and Forest (FR.2(ii) Department, dated 08.07.2022 with all consequential benefits.

For Petitioners : Ms.K.Jenitha
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 appoint the petitioners as regular time scale 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 petitioners joint representation dated 09.08.2022, within a time frame to be fixed by this Court.

4. Heard Ms.K.Jenitha, learned counsel for the petitioners and



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Mr.R.U. Dinesh Rajkumar, learned Additional Government Pleader
appearing for the respondents.

5. The petitioners rely upon the order passed by this Court in W.P. No.27598 of 2011, dated 05.02.2013, W.P. No.21574 of 2021 dated 06.10.2021 and Proceedings in Ref. No.LL2/54670/2011, dated 28.09.2013 and G.O. (2D) No.96, Environment, Climate Change and Forest (FR.2(ii)) Department, dated 08.07.2022 to substantiate their claim.

6. 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.

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

8. 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



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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.

9. With the aforementioned directions, this Writ Petition is disposed of. No Costs.

12.01.2023

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
Neutral citation case : Yes / No
vsi2

To :
1. The Secretary to Government,
The State of Tamil Nadu,
Environment and Forest Department,
Fort. St. George, Chennai - 9.
2. The Principal Chief Conservator of Forests,
(Head of Forest Force),
Forest Headquarters,
Velachery main Road,
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ABDUL QUDDHOSE, J.

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