



WEB COPY



W.P.No.3475 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.3475 of 2023

S.Kumaran

.. Petitioner

vs

1. The Government of Tamil Nadu

Rep. By its Secretary

Environment and Forest Department

Fort St. George

Chennai – 600 009.

2. The Principle Chief Conservator of Forest

Environment and Forest Department

Office at Panagal Maligai

Saidapet, Chennai – 600 015.

.. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to regularize the petitioner service in the cadre of forest watcher for purpose of getting minimum pension by giving relaxation in respect of height same was done similarly placed persons like petitioner namely I.Alagarasen and 4 others on 08.09.2022 with effect from 24.01.1995 and 02.02.1995 and 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 same was implemented by the first respondent in G.O.(2D) No.09 Environment, Climate Change and Forest FR.2(II) Department dated 08.02.2022 basis of petitioner representation dated 11.07.2022 within a time limit that may be fixed by this Honourable Court.



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For Petitioner : Mr.Chellapandian
for Mr.S.Mani

For Respondents : Mr.Stalin Abhimanyu
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to consider the representation made by the petitioner on 11.07.2022, wherein, the petitioner has sought for regularization of the services in the cadre of Forest Watcher for the purpose of getting minimum pension in the light of the similar orders passed by this Court and the same being implemented subsequently.

2. The case of the petitioner is that he was appointed as a Plot Watcher on daily rated basis on 01.11.1984. The petitioner was brought into regular time scale pay as a Plot Watcher in the year 2009. Subsequently, the petitioner was called for an interview for the post of Forest Watcher in the year 2011.

3. The grievance of the petitioner is that his juniors have been regularized as Forest Watchers in the year 1995 and the claim made by the petitioner was not



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considered on the ground that he was not satisfying the height requirement. Hence, the petitioner made a representation on 11.07.2022 and since the same was not considered, the present writ petition has been filed before this Court.

4. Heard Mr.Chellapandian, learned counsel appearing for the petitioner and Mr.Stalin Abhimanyu, learned Additional Government Pleader appearing for the respondents.

5. In the considered view of this Court, the grievance that has been expressed by the petitioner was considered in similar cases by this Court and orders have been passed and the same also has been implemented. One such case lead to the passing of G.O.(2D) No.9, dated 08.02.2022, wherein, similarly placed persons were regularized in service on par with their juniors from the year 1995. In view of the same, the representation made by the petitioner can also be considered by the respondents and a decision shall be taken within the time frame fixed by this Court.

6. In the light of the above discussion, there shall be a direction to the respondents to consider the representation made by the petitioner on 11.07.2022



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and deal with the same on its own merits and in line with the earlier orders passed and a decision shall be taken within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make fresh representation with all relevant documents along with a copy of this order.

7. The writ petition is disposed of with the above directions. There shall be no order as to costs.

Index: Yes/No
drm

08.02.2023

To

1. The Secretary
The Government of Tamil Nadu
Environment and Forest Department
Fort St. George
Chennai – 600 009.
2. The Principle Chief Conservator of Forest
Environment and Forest Department
Office at Panagal Maligai
Saidapet, Chennai – 600 015.



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N.ANAND VENKATESH, J

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