



W.P.No.31767 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.31767 of 2012 and
MP.No.1 of 2013

K.Baskaran

... Petitioner

Vs.

- 1.State of Tamilnadu rep. By its Secretary,
Forests Department,
Fort St.George, Chennai
- 2.The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai
- 3.The Forest Range Officer,
Social Forestry Range,
Tiruttani 631 209

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Mandamus directing the respondents to regularise the services of the petitioner as per the GO.Ms.No.64 (Forest and Environment Department) dated 08.03.1999 and GO.No.95 (Forest And Environment Department) dated 07.08.2009.

For Petitioner : No Appearance

For Respondents : Dr.T.Seenivasan,
Special Government Pleader



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ORDER

This writ petition has been filed for direction to the respondents to regularise the services of the petitioner as per the GO.Ms.No.64 (Forest and Environment Department) dated 08.03.1999 and GO.No.95 (Forest And Environment Department) dated 07.08.2009.

2. The petitioner was appointed as Plot Watcher on temporary basis. He had served for more than 19 years. However, his service was not regularised and he was not made permanent. In order to regularise the services of the temporary Plot Watcher, GO.Ms.No.64 (Forest and Environment Department) dated 08.03.1999 was issued as 'when permanent posts arise, they will be posted in accordance with seniority'. Therefore, the petitioner submitted representation to regularise his services.

3. On perusal of the counter filed by the third respondent revealed that the petitioner was purely engaged on temporary basis from 24.08.1984 to 01.04.2003. As per GO.Ms.No.64 (Forest and



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Environment Department) dated 08.03.1999, it was directed for preparation and maintenance of a State Wide Seniority List and also directed to appoint those in the seniority list on permanent basis as and when vacancy arises. The petitioner was included in the State Wide Seniority List and his service would be regularised as and when vacancy arises if he still continues in the job as Plot Watcher on the date of consideration of his name for regularisation and if the individual has necessary qualification to hold the post. However, the petitioner has only 160 cm height as against height of 163 cm to hold the post of Plot Watcher. Therefore, he can be considered only for the post of 'Mali'. Therefore, the petitioner is not entitled to any claim based on the GO.Ms.No.64 (Forest and Environment Department) dated 08.03.1999. That apart, the petitioner had already resigned from service on 01.04.2003. Thereafter, he was not engaged for any service by the respondents. Therefore, the prayer sought for in this writ petition cannot be considered. As such, this writ petition itself is devoid of merits.



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4. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

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Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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To

1. Secretary,
State of Tamilnadu,
Forests Department,
Fort St.George, Chennai
2. The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai
3. The Forest Range Officer,
Social Forestry Range,
Tiruttani 631 209
4. The Government Advocate,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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