



W.A.No. 2004 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.04.2023**

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MRS. JUSTICE K. GOVINDARAJAN THILAKAVADI

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1. Government of Tamil Nadu
Represented by its Secretary,
Environment & Forest Department,
Fort St. George, Chennai -9.
2. The Principal Chief Conservator of Forests,
Panagal Building, Saidapet, Chennai -15.
3. The District Forest Officer,
Salem District,
Salem.
4. The District Forest Officer,
Coimbatore District.

...Appellants

versus

1. A. Kandasamy
2. R. Kaliyamoorthy
3. C. Manickam
4. V. Chinnavan
5. N. Pandurangan
6. R. Nehru
7. P.A. Duraisamai
8. K. Muthusamy
9. C. Duraiyan
10. L. Thannasi
11. D. Ganesan

... Respondents



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WEB COPY Appeal filed against the order passed by this Court dated 24.02.2014 in WP No. 5280 of 2014.

For Appellants : Mr. Hasan Fizal
Additional Government Pleader

For respondents : R1 to R3 and 8 dismissed vide
order dated 23.12.2022
R4 to R7 and R to R11- No appearance

JUDGMENT

(made by D.KRISHNAKUMAR, J.)

The learned Additional Government Pleader, appearing for the appellants, has submitted before this Court that the issue involved in this writ appeal is res integra for the reason that a Division Bench of this Court had elaborately considered in Writ Appeal No. 1578 of 2014, etc. batch. dated 05.07.2018 and passed an order by holding that there is no vested right in an individual to seek appointment by regularization against the Rues and further held that a Mandamus cannot be issued compelling the Government to relax the qualification required for a particular post, as such a Mandamus will be against the Service Rules.



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2. Considering the aforesaid decision of the Division Bench cited supra, the order passed by the Writ Court in W.P. 5280 of 2014 is modified to the extent that the appellants are directed to take appropriate decision in the light of the order passed in W.A. No. 1578 of 2014, etc. batch. Dated 05.07.2018. For the compliance of the order of the learned Single Judge, 12 weeks time is granted from the date of receipt of a copy of this order.

3. With the above modification, the writ appeal stands disposed of. No costs. Consequently, C.M.P.No. 15893 of 2018 is closed.

(D.K.K., J.) (K.G.T., J.)
24.04.2023

Index: Yes/no
mrn



WEB COPY



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D.KRISHNAKUMAR, J.
and

K. GOVINDARAJAN THILAKAVADI, J.
(mrn)

To

1. The Secretary,
Government of Tamil Nadu
Environment & Forest Department,
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2. The Principal Chief Conservator of Forests,
Panagal Building, Saidapet, Chennai -15.
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