



W.P.(MD)Nos. 7675 & 8429 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)Nos. 7675 & 8429 of 2019

and

W.M.P.(MD)Nos.6109, 6110, 6611, 6612 & 14384 of 2019

W.P.(MD)No.7675 of 2019

D.Karthikeyan

... Petitioner

Vs.

1. The State of Tamil Nadu Represented by its
Additional Chief Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai – 600 009.
2. The Principal Chief Conservator of Forests,
and Chief Project Director (TBGP),
Vellacherry Main Road,
Nanmangalam, Chennai – 600 100.
3. The Principal Chief Conservator of Forests,
Head of the Department,
Panagal Building,
Saidapet, Chennai – 600 015.



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4. The District Forest Officer,
Madurai Forest Division,
Madurai – 625 002.

...Respondents

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1. N.Raja
2. K. Vijay Anand
3. D. Prabhu Neill Rajkumar
4. R. Selvakumar
5. D. Selvaganesan
6. M. Palani
7. N. Satheesh
8. D. Sathyapriya
9. T.Muthumani
10. S.T.Vijayalakshmi
11. P. Shanthi
12. V. Sivakumar
13. S. Uma
14. P. Saraswathi
15. P. Amutha
16. G. Premila
17. M. Balamurugan
18. P. Karuppu
19. N. Ramesh Kannan



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20. A.M. Marimuthu

21. R. Lakshmi

22. A. Margaret

23. S. Semina Banu

24. K. Thangamani

25. M. Jayavikiraman

26. P. Karthik Kumar

27. P. Rajavel

... Petitioners

Vs.

1. The State of Tamil Nadu Represented by its
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...Respondents



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COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorarified Mandamus*, to call for records in pursuant to the impugned order passed by the 2nd respondent in proceedings Ref.No. TBGP 7/680/2019 dated 27.03.2019 and quash the same and consequently direct the respondents to permit the petitioners to continue as Data Entry Operators in Forest Department with all attendant and monetary benefits.

In Both the Writ Petitions:

For Petitioners	: Mr.M.Saravanakumar
For Respondents	: Mr.A.Baskaran Additional Government Pleader

COMMON ORDER

These writ petitions have been filed challenging the impugned order, dated 27.03.2019.

2. The claim of the petitioners is that they were appointed on Daily Wage employees on 01.12.2001 in the post of Computer Operator. The petitioners are working in the said post for the past 21 years.



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3. The petitioners have submitted representation to regularize their service. The regularization issue was agitated before the Principal Bench of this Court, in W.A.No.2731 of 2018, wherein the Hon'ble Division Bench of this Court directed the respondents to regularize the service of the Computer Operator, from the date of initial appointment of the petitioners with all consequential benefits within 12 weeks. Aggrieved over the said order, the Government has preferred Special Leave to Appeal (C) No.10057 of 2022. The Hon'ble Supreme Court, vide order, dated 11.07.2022 had dismissed the said Special Leave to appeal, however the question of law was left open. Based on the said order, the 2nd respondent has recommended the case of the petitioners and other similarly placed persons for regularization in Reference No. TBGP6/602/2022, dated 13.04.2022 and the papers are pending before the 1st respondent.

4. In view of the foregoing reasons, the 1st respondent is directed to consider the recommendation of the 2nd respondent and pass order. The exercise shall be completed within a period of 12 weeks, from the date of receipt of a copy of the order.



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5. As far as the monetary benefit is concerned, the respondents are at liberty to consider based on the financial viability of the Government, since the Hon'ble Supreme Court has left the issue open.

6. With the aforesaid observations, these writ petitions are disposed off. No Costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes
ksa

05.01.2023



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To

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S.SRIMATHY, J

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**Common Order made in
W.P.(MD)Nos. 7675 & 8429 of 2019**

05.01.2023