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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

**REV.APLW.(MD).Nos.171 & 172 of 2023
against
W.P.(MD).Nos.7675 and 8429 of 2019**

REV.APLW.(MD).No.171 of 2023

- 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.
- 4.The District Forest Officer,
Madurai Forest Division,
Madurai.

...Review Petitioners/Respondents
Vs.

D.Karthikeyan,
Data Entry Operator,
O/o the Conservator of Forests,



Madurai Circle, Madurai-2.

... Respondent/Writ Petitioner

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Prayer : Review Petition is filed Under Order 47 Rule 1 & 2 r/w section 114 of CPC, to review the order dated 05.01.2023 made in W.P.(MD).No.7675 of 2019 on the file of this Court.

For Petitioners : Mr.M.Ramesh,
Government Advocate

For Respondent : Mr.M.Saravana Kumar

REV.APLW.(MD).No.172 of 2023

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.

...Review Petitioners/Respondents

Vs.

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.Rameshkannan

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

... Respondents/Writ Petitioners

Prayer : Review Petition is filed Under Order 47 Rule 1 & 2 r/w section 114 of CPC, to review the order dated 05.01.2023 made in W.P.(MD).No.8429 of 2019 on the file of this Court.

For Petitioners : Mr.M.Ramesh,
Government Advocate

For Respondents : Mr.M.Saravana Kumar

COMMON ORDER

The respondents in the Writ Petitions have filed the Review Applications.

2. It is submitted by the learned counsel appearing for the Review Applicants that in Paragraph 3 of the order dated 05.01.2023 passed in the W.P. (MD)Nos.7675 and 8429 of 2019, this court has recorded a communication sent by the Principal Chief Conservator of Forests and Chief



Project Director (TBGP) in Ref.No.TBGP6/602/2022 dated 13.04.2022 and by referring to such communication, this Court directed the review applicant to regularize the respondents herein. However, the learned counsel appearing for the review applicants submitted that the said reference is not for regularization of any employee. It deals with the project of Tamil Nadu Biodiversity Conservation and Greening Project for Climate Change and submitted a copy of the said proceedings. On perusing the same, it is seen that the reference cited is the same but the subject is regarding a project for climate change. As stated by the review applicant, the communication is not a recommendation for regularizing the respondents herein.

3. However, the learned counsel appearing for the respondents herein brought to the knowledge of this Court that already the second review applicant had sought particulars of the persons who are engaged for more than 10 years in his proceedings in Ref.No.S1/12733/2012 dated 09.03.2020 which is signed by Superintendent on 10.03.2020. Moreover, through another communication in Na.Ka.S1/12733/2012 dated 06.09.2017, the review applicants had issued direction to collect the details of persons who are engaged for more than two years. Hence submitted that the review petitioners have taken initiation to



regularize the daily wage employees and therefore prayed to direct the review applicants to regularize their service.

4. Therefore, in the light of said communication in Na.Ka.S1/12733/2012 dated 06.09.2017 and Ref.No.S1/12733/2012 dated 09.03.2020, the writ petitioners are also entitled to be considered. The review petitioners are directed to consider the writ petitioners claim and pass appropriate orders to grant regularization. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With these observations and direction, this review petition is allowed.
There shall be no order as to costs.

30.08.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

Sml/Nsr



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S.SRIMATHY, J.

Sml/Nsr

REV.APLW.(MD).Nos.171 & 172 of 2023

30.08.2023