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W.P. No.18481 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM :

**THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER
KUMAR**

W.P.No.18481 of 2015

1.M.Govindasamy (Deceased)

2.D.Thulasidoss

3.D.Govindan

4.R.Munivel

5.G.Dhanammal

6.G.Sadhasivam

7.G.Dhinakaran

8.G.Ambika

(Petitioners 5 to 8 are substituted as LR's of deceased P1 as per order dated 19.11.2024 in W.M.P.No.33922 of 2024)

... Petitioners

Vs.

1.The State of Tamil Nadu

Rep., by its Secretary to Government,
Environment and Forest Department,
Fort St.George,
Chennai – 9.

2.The Principal Chief Conservator of Forest,
Panagal Building,
Saidapet, Chennai-15.

...Respondents

Page No.1 of 6



W.P. No.18481 of 2015

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records in Letter No.7019/FR.2/2014-2, dated 09.12.2014 by the first respondent and to quash the same with consequential direction to the respondents to regularize our services in the regular time scale of pay with effect from the date of out juniors regularization and with consequential benefits.

For Petitioner : Mr.K.Jenitha

For Respondents : Mr.M.S.Premkumar
Government Advocate.

ORDER

This writ petition has been filed challenging the Letter No. 7019/FR.2/2014-2, dated 09.12.2014, whereby the claim of the petitioners for retrospective regularization of their services as Plot Watcher was rejected by the respondents.

2. When the matter is taken up for consideration, it is represented by the learned counsel for the petitioner that the relief sought in this writ petition has already been granted insofar as petitioners 2 to 4 are concerned, and the relief has become infructuous to that extent. Hence, the writ petition is dismissed as infructuous insofar as petitioners 2 to 4 are concerned.



WEB COPY

3. Insofar as petitioners 5 to 8 are concerned, the learned counsel for the petitioners brought to the notice of this Court that under similar circumstances, this Court had disposed of W.P.No.32566 of 2018 and a Batch by an order dated 11.12.2018 directing the respondents therein to regularize the services of the petitioner as plot watcher on par with his juniors and in terms of the said order Government subsequently issued G.O.Ms.No.1 Environment and Forest (FR.2-II) Department dated 01.01.2021 regularizing the services of the petitioner therein on par with his juniors.

4. The learned counsel for the petitioner submits that the 1st petitioner is also similarly placed, like persons who are the beneficiaries of G.O.Ms.No.1 Environment and Forest (FR.2-II) Department dated 01.01.2021. However, the respondents filed a counter affidavit disputing the petitioner's right to retrospective regularization on the ground that there was break in service.

5. Mr.M.S.Prem kumar Learned Government Advocate, also reiterated the contentions raised in the counter affidavit and argued that the



1st petitioner is not entitled to be regularized like the beneficiaries under of G.O.Ms.No.1 Environment and Forest (FR.2-II) Department dated 01.01.2021.

6. In the light of the above contentions, this Court is of the considered view that it would be appropriate to dispose of the writ petition permitting any of the petitioners 5 to 8 to make a representation before the respondents claiming the benefit that was extended to certain other plot watchers under G.O.Ms.No.1 Environment and Forest (FR.2-II) Department dated 01.01.2021 and to direct the respondent to consider the same.

7. Accordingly, the writ petition is disposed of permitting the petitioners 5 to 8 to make a representation before the respondents seeking extension of the benefits under G.O.Ms.No.1 Environment and Forest (FR.2-II) Department dated 01.01.2021 within a period of six (6) weeks from the date of receipt of a copy of this order and on submission of such representation, the respondents 1 to 3 are directed to consider the said representation, taking into account the service rendered by them and pass appropriate orders thereon within a period of three (3) months from the date



W.P. No.18481 of 2015

of submission of the representation.

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8. In the result, this writ petition stands disposed of insofar as petitioners 5 to 8 are concerned. The connected miscellaneous petitions, if any, shall stand closed. No costs.

19.11.2024

Index : Yes/No
Speaking Order : Yes/No
dpa

To:

- 1.The Secretary to Government,
State of Tamil Nadu
Environment and Forest Department,
Fort St.George,
Chennai – 9.
- 2.The Principal Chief Conservator of Forest,
Panagal Building,
Saidapet, Chennai-15.

MUMMINENI SUDHEER KUMAR,J.

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WEB COPY



W.P. No.18481 of 2015

W.P.No.18481 of 2015

19.11.2024