



WEB COPY

W.P.No.31573 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.31573 of 2015
and M.P.Nos.1 & 2 of 2015

M.Munirathinam

...

Petitioner

versus

1.State of Tamil Nadu
Rep. by Secretary,
Forest Department,
Fort St. George, Chennai.

2.The Principal
Chief Conservator of Forests,
Saidapet, Chennai.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order in Letter No.15556/FR-2/2015-1 Environment and Forests (FR-2) Department, Secretariat, Chennai dated 1.9.2015 passed by the first respondent herein and quash the same and further direct the respondents to appoint the petitioner as Plot Watcher with all monetary and other service benefits.

For Petitioner : Mr.V.Subramani

For Respondents : Mr.R.Murthi
Government Advocate



ORDER

This writ petition is filed challenging the order dated 01.09.2015 passed by the first respondent and for the consequential direction to appoint the petitioner as Plot Watcher.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents and perused the materials available on record.

3. The petitioner was aged 54 years at the time of filing the writ petition and as on date, he is 64 years and reached the age of superannuation and therefore the prayer sought for in this writ petition seeking to appoint him in the post of Plot Watcher has become infructuous.

4. Be that as it may, even according to the petitioner, he was originally appointed as Plot Mazdoor on 01.04.1984 and served till 28.03.2001 and thereafter, he was not allowed to continue in work. Leaving the matter to rest there, only when 3058 persons were appointed as Plot Watchers, the petitioner for the first time has filed writ petition in the year



2014 approaching this Court seeking similar benefits as granted to the other persons.

5. From the counter affidavit filed by the second respondent, it is evident that the petitioner was engaged as Mazdoor on daily wages for some period of time and admittedly he was not working in the Department from 01.03.1995 to 13.01.2000 on his own volition. The Government had issued G.O.(Ms.)No.64, Environment and Forests Department, dated 08.03.1999 whereby the Plot Watchers / Social Forestry Workers who had served continuously in the Department for more than 25 years were placed in a statewide seniority list and all the Plot Watchers who had been working as on 08.03.1999 were included in the statewide seniority list prepared and the Government had taken a policy decision to regularise the time scale of pay of 3058 Plot Watchers who had been working for more than 10 years in service. Based on G.O.(Ms.)No.95, Environment and Forests Department, dated 07.08.2009, their services were regularised.

6. Further several persons who were transferred to the Rural Development Department were not included in the list and pursuant to the litigation initiated by them, it ended in their favour by the orders passed in



W.A.No.887 of 2010 dated 29.04.2011 by which they were extended the benefits since they were in service and transferred to Rural Development Department. Only at this juncture, the petitioner had made a representation claiming similar benefits and approached the authorities.

7. Admittedly, the petitioner was not in the service of the respondents after 1995, particularly when the statewide seniority list was prepared in the year 1999 and the benefits given to one T.K.Elumalai, based on which the petitioner is making a claim was given only due to the fact that he had been working and transferred to Rural Development Department and taking note of the fact that the petitioner also reached the age of superannuation, the claim made by the petitioner cannot be considered and has been rightly rejected by the first respondent.

8. In view of the same, the Writ Petition fails and accordingly dismissed. Consequently, connected Miscellaneous Petitions are closed.

9. There shall be no order as to costs.

09.01.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri



To

1.The Secretary,
State of Tamil Nadu
Forest Department,
Fort St. George, Chennai.

2.The Principal Chief Conservator of Forests,
Saidapet, Chennai.



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G.ARUL MURUGAN, J.

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