

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.09.2018

CORAM

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P.No.24994 of 2018

R.Rajkumar

..Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Environment and Forest Department,
Fort St. George,
Chennai 600 009.
 2. The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai - 15.
 3. The Division Forest Officer,
Cuddalore District,
Nellikuppam Main Road,
Cuddalore - 607 001
- ..Respondents

PRAYER Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 18.12.2017 with regard to compassionate appointment in the light of the judgment of the Hon'ble First Bench of this Court in WA No.524 of 2012 dated 16.04.2012 within a time frame.

For Petitioner : Mr.K.Jenitha
For Respondents : Mr.M.Sathyannarayanan
Additional Government Pleader (Forest)

ORDER

The grievance of the petitioner in this case is inaction on the part of the 3rd respondent to consider his representation made for compassionate appointment. According to the petitioner, he is entitled to the Compassionate appointment in view of the law laid down by this Court in WA No.524 of 2012 dated 16.04.2012 and as such, he has made a representation in this regard to the 3rd respondent. But the 3rd respondent is guilty of inaction in not considering the same and as such, the

petitioner has come to this Court by way of filing this writ petition seeking a direction to the 3rd respondent to consider his representation.

2. Mr.M.Sathyanarayanan, learned Additional Government Pleader (forests) appearing for respondents submits that if such representation is pending with the 3rd respondent, they have no objection to consider the same in accordance with law, within a reasonable period but this Court should not put any fetter on the 3rd respondent to consider the representation of the petitioner in any particular manner.

3. Considering the facts and submissions made, this Court without seeking any reply affidavit, dispose of this writ petition with a direction to the 3rd respondent to take an informed and considered decision on such representation of the petitioner dated 18.12.2017, if the same is pending, keeping in mind the aforesaid law laid down by this Court in this regard, within a period of eight weeks from the date of receipt of copy of this order, if there is no other legal impediment. However, it is made clear that this Court has not expressed any opinion on the merits of such representation in any manner.

4. With the aforesaid direction, this writ petition stands disposed of. No costs.

Rka

Sd/-
Assistant Registrar(CS-V)

// True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Environment and Forest Department,
Fort St. George, Chennai 600 009.
2. The Principal Chief Conservator of Forests,
Panagal Building, Saidapet, Chennai - 15.
3. The Division Forest Officer,
Cuddalore District,
Nellikuppam Main Road, Cuddalore - 607 001.

+ 1 CC TO M/s.K.JENITHA, ADVOCATE SR 66205
+ 1 CC TO THE SPL.GOV'T. PLEADER (FOREST) SR 65979

KR/10/10/18

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