

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :18.09.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.18005 of 2019

A.Anandakannan

..Petitioner

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 & Head of the
Department,
Panagal Building,
Saidapet,
Chennai - 15.

3.The District Forest Officer,
Villupuram Forest Division,
Villupuram.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus, to
direct the respondents to reconsider the petitioner's claim with
regard to compassionate appointment within time frame.

For Petitioner : Ms.K.Jenitha

For Respondents: Mr.M.Elumalai
Government Advocate

O R D E R

The prayer sought for in this Writ Petition is to direct the
respondents to reconsider the petitioner's claim with regard to
compassionate appointment within time frame.

2. The case of the petitioner is that his father joined the
service as Plot Watcher on 01.09.1986 at Social Forestry

Division. On 07.08.2009, his service was brought into regular time scale of pay. Subsequently, he was appointed as Forest Watcher on 03.03.2014. On 13.01.2018, the petitioner's father died while in harness leaving behind his wife, one daughter and three sons as his legal heirs. On 11.02.2018, the petitioner, the 3rd son of the deceased employee made an application for compassionate appointment after obtaining no objection from other legal heirs. However, till date the representation was not considered. Hence the Writ Petition has been filed.

3. The learned counsel for the petitioner would submit that it would be suffice to issue direction to the respondents to dispose of the representation in accordance with law.

4. Mr.M.Elumalai, Government Advocate appearing on behalf of the respondents would submit that the representation made by the petitioner on 11.02.2018 is totally false since, the legal heir certificate issued by Tahsildar Virudachalam, in D Dis (B4) 641/2018 is dated 13.02.2018 and true copy attestation by Head Quarters Deputy Tahsildar, Virudhachalam was made only on 22.02.2018. He would also submit that the representation made was without original testimonials like petitioner's application for seeking appointment under compassionate grounds, consolidated certificates from Revenue Department, Educational Certificate and transfer Certificate for verification and without mentioning the details of seeking post, which are mandatory for the consideration of the compassionate appointment.

5. He would also submit that the representation will be considered after furnishing the details as stated herein below:

i)Application of Petitioner for requesting appointment under compassionate grounds.

ii)Consolidated certificate about family status from Revenue Department Authorities.

iii)Transfer Certificate from Last Studied institution.

iv)Educational Qualification certificates.

6. Heard the counsels and perused the records.

7. Considering the facts and circumstances of the case, the petitioner is directed to furnish the details of the documents stated supra to the respondents within a period of 2 weeks from the date of receipt of a copy of this order and on receipt of the same the respondents are directed to dispose of the

representation made by the petitioner within a period of 12 weeks thereafter. The Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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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
& Head of the Department,
Panagal Building,
Saidapet,
Chennai - 15.
- 3.The District Forest Officer,
Villupuram Forest Division,
Villupuram.

+lcc to Ms.K.Jenitha, Advocate sr.80864
+lcc to Special Government Pleader sr.80473

W.P.No. 18005 of 2019

pvs(co)
nr 01/11/2019

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