

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.20805 of 2019

R.Rajesh

... 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 and
Head of the Department,
Panagal Building,
Saidapet,
Chennai - 15.
 - 3.The District Forest Officer
Cuddalore Forest Division,
Cuddalore.
- Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus for direction to the respondents to consider the petitioner's claim with regard to compassionate appointment in light of the judgment of the Hon'ble First Bench of this Court in W.A.No.524 of 2012 dated 16.04.2012.

For Petitioner : Ms.K.Jenitha

For Respondents : Mr.M.Elumalai
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus for direction to the respondents to consider the petitioner's claim with regard to compassionate appointment in light of the judgment of the Hon'ble First Bench of this Court in W.A.No.524 of 2012 dated 16.04.2012.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.The case of the petitioner is that the petitioner's father joined the service as Plot Watcher on 01.05.1983 at Social Forestry Division, Cuddalore. Subsequently as per G.O.Ms.No.95, Environment and Forest Department dated 07.08.2009, his service was brought into regular time scale of pay with effect from 07.08.2009 in supernumerary post. The petitioner's father died on 21.06.2012 while he was in service, leaving behind his wife and children including the petitioner as his legal heirs. Hence, the petitioner made application for compassionate appointment on 29.05.2014, within three years from the date of his father's death, however, the same has not been considered. Hence, this writ petition.

4.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation within a stipulated time frame.

5.The learned Government Advocate appearing for the respondents would submit that the petitioner's representation will be considered.

6.Considering the facts and circumstances of the case, I am inclined to issue direction to the respondents to consider the petitioner's representation dated 29.05.2014, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7.The writ petition is accordingly disposed of. No costs.
Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

pri

To

1.The Secretary to Government,
Environment and Forest Department,
Fort.St.George,
Chennai - 9.

WEB COPY

2.The Principal Chief Conservator of Forest and
Head of the Department,
Panagal Building,
Saidapet,
Chennai - 15.

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

+1cc to Ms.K.Jenitha, Advocate SR.76655
+1cc to the Government Pleader SR.76688

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NRL(CO)
CB(04/11/2019)



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