

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.23790 of 2019  
and W.M.P.No.23657 of 2019

R.Rahul Suren

.. Petitioner

Vs.

1.The Principal Chief Conservator of Forests /  
Chief Wildlife Warden,  
Panagal Building,  
Saidapet,  
Chennai - 600 015.

2.The District Forest Officer,  
Vellore District,  
Vellore - 4.

.. 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 grant the appointment in the Forest Department on compassionate grounds based on the petitioner's mother application dated 08.02.2013.

For Petitioner : Mr.C.K.M.Appaji  
For Respondents : Mr.M.Ezhumalai  
Government Advocate

O R D E R

The prayer sought for in this Writ Petition is to direct the respondents to grant the appointment in the Forest Department on compassionate grounds based on the petitioner's mother application dated 08.02.2013.

2. The case of the petitioner is that his father N.Rathna Ganeshan had worked as Forest Watcher in Mothana Forest Division, Vellore District Forest Range. The petitioner's father met with an accident and died on 12.11.2012, leaving behind the petitioner and his mother, grandmother and sister. Since the petitioner's father was the only sole breadwinner of the family, his sudden death caused great financial loss and the petitioner's family were unable to survive their day to day life. On 08.02.2013, the petitioner made an application to the

2<sup>nd</sup> respondent and also produced no objection from other family members. On 26.03.2013, the 2<sup>nd</sup> respondent issued a letter stating that the Forest Warden Post was upgraded into B Grade from the year 2010 as per G.O.Ms.157, Environment & Forest (V2) Department dated 29.06.2012 and it is not possible to appoint the petitioner as Forest Warden on Compassionate grounds and advised the petitioner to apply for the post of Forest Watcher or Junior Assistant on compassionate grounds. That apart, the 1<sup>st</sup> respondent vide proceedings dated 19.06.2014 issued instructions that as on 31.12.2013, there are 209 persons in waiting list for the post of Junior Assistant on Compassionate grounds and it will take twelve years to complete the task of appointment on compassionate grounds. At present, there are only twenty two Writer posts and thirteen Record Clerks posts are lying vacant in the department. The said order was communicated to the petitioner on 23.06.2014 by the 2<sup>nd</sup> respondent.

3. On 04.07.2014, the petitioner sent a letter to the 2<sup>nd</sup> respondent to appoint him as a Writer since the said post is lying vacant. Thereafter, on 26.06.2015, the 2<sup>nd</sup> respondent issued a letter stating that the petitioner's application was forwarded to the 1<sup>st</sup> respondent for necessary action. However, no steps have been taken till now. Therefore, the present Writ Petition has been filed.

4. The learned counsel appearing for the petitioner would submit that it would be suffice to issue direction to the respondents to consider and dispose of the petitioner's representation dated 04.07.2014, on merits and in accordance with law.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the respondents to consider and dispose of the petitioner's representation dated 04.07.2014 within a period of twelve weeks from the date of receipt of a copy of this order, on merits and in accordance with law.

6. With the above direction, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar (C.S.VI)

/True Copy/

Sub Assistant Registrar

To

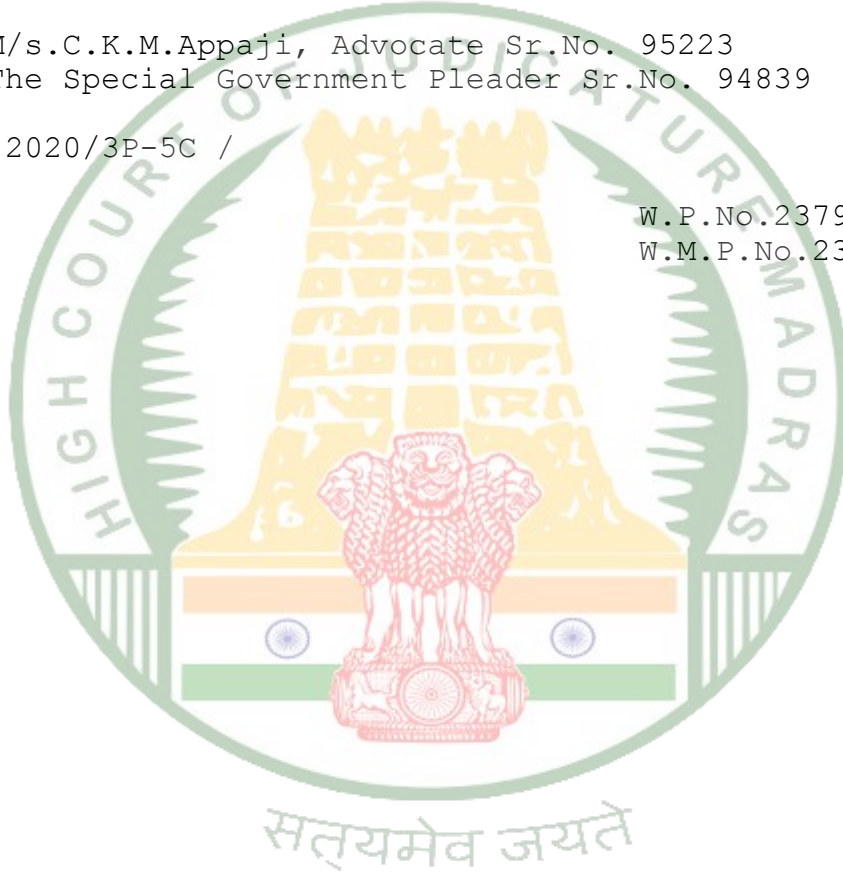
1.The Principal Chief Conservator of  
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Panagal Building,  
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Chennai - 600 015.

2.The District Forest Officer,  
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Vellore - 4.

+1 cc to M/s.C.K.M.Appaji, Advocate Sr.No. 95223  
+1 cc to The Special Government Pleader Sr.No. 94839

AKM/27.01.2020/3P-5C /

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