

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21097 of 2019

S.Rajesh

... Petitioner

Vs.

1.Government of Tamil Nadu

Rep. by its Principal Secretary to Government,
Environment and Forest Department,
Fort St.George,
Chennai - 600 009.

2.The Principal Chief Conservator of Forests,

Head of Forest Force,
No.1, Genies Road,
Panagal Maligai,
Saidapet, Chennai - 15.

3.The Wild Life Warden,
Hosur Forest Division,
Hosur,
Krishnagiri District.

... Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to appoint the petitioner as Forest Watcher or any other suitable post in the Forest Department of 3rd Respondent Division in order to protect his family livelihood based on the recommendation made by the 3rd respondent vide Na.Ka.No.3755/2018/Pa.1 dated 22.10.2018.

For Petitioner : Mr.M.R.Jothimanian

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 directing the respondents to appoint the petitioner as Forest Watcher or any other suitable post in the Forest Department of third Respondent Division in order to

protect his family livelihood based on the recommendation made by the third respondent vide Na.Ka.No.3755/2018/Pa.1 dated 22.10.2018.

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 his father was appointed as Plot Watcher on 01.04.1986 and thereafter, as per G.O.Ms.No.95, Environment Forest Department dated 07.08.2009, he was appointed as Plot Watcher in Supernumery Post and his name was included in the State wide seniority list. The petitioner's father died on 06.09.2013 while in service. Hence, the petitioner made application for compassionate appointment on 10.03.2014 to the third respondent and the third respondent also made recommendation on 22.10.2018 to the second respondent. Thereafter the petitioner also submitted representation on 25.02.2019 to the second respondent. Even thereafter, the second respondent has not considered the petitioner's request for compassionate appointment. 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 second respondent to consider the petitioner's representation dated 25.02.2019 and to pass appropriate orders.

5.Considering the limited request made by the learned counsel appearing for the petitioner, I am inclined to issue direction to the second respondent to consider the petitioner's representation dated 25.02.2019, on merits and in accordance with law and to pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

6.The writ petition is accordingly disposed of. No costs.

s/d-
Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

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To

1.The Principal Secretary to Government,
Environment and Forest Department,
Fort St.George,
Chennai - 600 009.

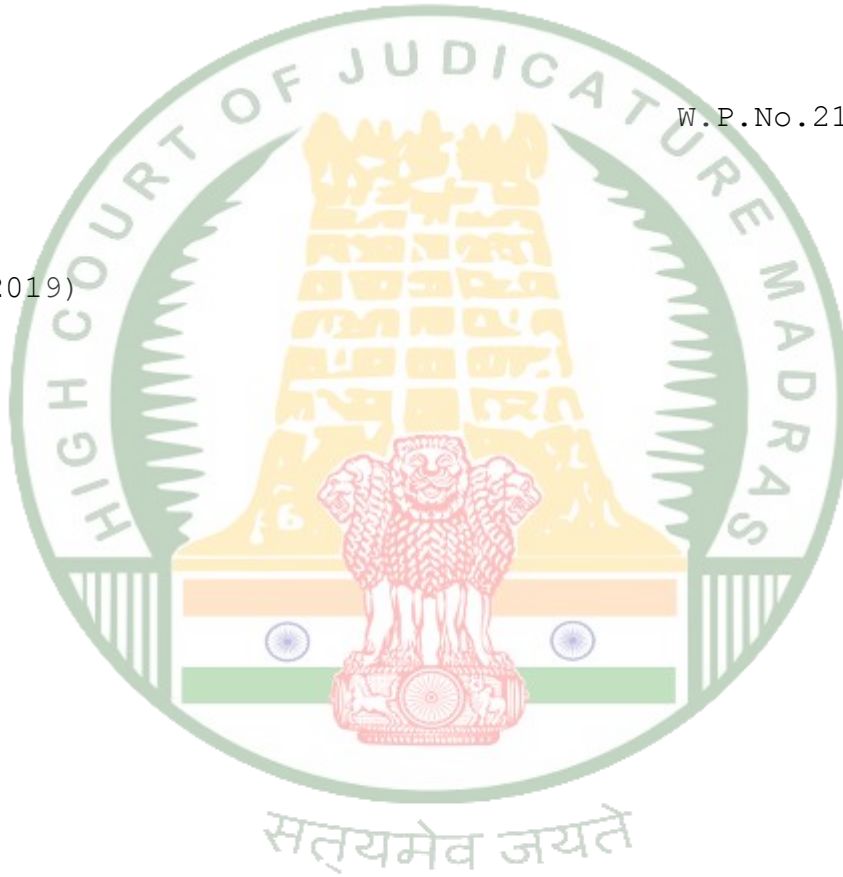
2.The Principal Chief Conservator of Forests,
Head of Forest Force,
No.1, Genies Road,
Panagal Maligai,
Saidapet, Chennai - 15.

3.The Wild Life Warden,
Hosur Forest Division,
Hosur,
Krishnagiri District.

+1 CC to Mr.M.R.Jothimanian, Advocate sr 79455.

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VGI (CO)
SP(24/10/2019)



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