

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.09.2019
CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.24848 of 2019

K.Nagaraj

.. Petitioner

..Vs..

- 1.The Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai - 9.
 - 2.The Principal Chief Conservator of Forest,
Panagal Building, Saidapet,
Chennai - 15.
 - 3.The District Forest Officer,
Niligiri North Division,
Udhaka Mandalam.
 - 4.The Accountant General of Tamilnadu,
Teyanampet, Chennai - 18.
- .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to appoint the petitioner on compassionate ground in any suitable post based on his qualifications and to count 50% of the petitioner father service rendered in the post of plot watcher as death cum pensionable service on par regularization as per G.O.MS.No.95 Environment and Forest Department dated 07.08.2009 and grant such other relief as deems fit to this Hon'ble Court.

For Petitioner : Mr.P.Ganapathy

For Respondents: Mr.M.Elumalai,
Government Advocate

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O R D E R

The learned counsel for the petitioner would submit that the petitioner's father was appointed as clerk and subsequently, regularized in the year 2002. While in service, his father died on 03.01.2010. -bImmediately, thereafter on 04.03.2010, the petitioner made a representation for compassionate appointment. However, the third respondent rejected the application for

compassionate appointment on 13.03.2010. Thereafter, the petitioner made a representation to the second respondent for compassionate appointment and disbursal of retirement benefits dated 23.04.2010 and again issued a lawyer notice dated 18.11.2014. Further representations made in 2017 and 2018. Till date, have not been considered. Hence, the present writ petition has been filed.

2. The learned counsel for the petitioner on instruction would submit that the petitioner is not insisting to be considered for compassionate appointment. However, he would submit that the direction may be issued to the concerned authority to disburse the retirement benefits within reasonable time.

3. Considering the facts and circumstances, I am inclined to issue a direction to the second and third respondents to disburse the terminal benefits for the petitioner's father, if there is no legal impediment.

4. Accordingly, the writ petition is disposed of. No costs.

At

Sd/-

Assistant Registrar(CJ Conf.)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Government,
Environment and Forest Department,
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- 4.The Accountant General of Tamilnadu,
Teyanampet, Chennai - 18.

+1cc to Mr.P.Ganapathy, Advocate, SR.No.83765

+1cc to the Govt.Pleader, Vide Sr.No.83163

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Kak(05/11/2019)