



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 01.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No. 30927 of 2019

S. Arul Kumar

... petitioner

Vs

1. The Principal Chief Conservator of Forest,
Office at Panagal Maligai,
Saidapet, Chennai- 600 015.

2. The District Forest Officer,
Vellore.

..

respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider his compassionate appointment as any suitable post by considering his application dated 2.08.2019 and 26.09.2019 in light of the order passed by this Hon'ble Court in W.P.No.13613 of 2011 dated 30.09.2011, which was upheld by the Hon'ble Division Bench of this Hon'ble Court in W.A.No.524 of 2012 dated 16.04.2012 and order passed by the Hon'ble Supreme Court dated 12.04.2013 in SLP (Civil) No.7619 of 2013 by dismissing the Appeal filed by the respondents.

For petitioner ... Mr. S. Mani

For respondents ... Mr. Elumalai, Government Advocate

O R D E R

With the consent of both the parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioner filed this Writ Petition seeking direction to direct the respondents to consider his compassionate appointment as any suitable post by considering his application dated 2.08.2019 and 26.09.2019 in light of the order passed by this Hon'ble Court in W.P.No.13613 of 2011 dated 30.09.2011, which was upheld by the Hon'ble Division Bench of this Hon'ble Court in W.A.No.524 of 2012 dated 16.04.2012 and order passed by



the Hon'ble Supreme Court dated 12.04.2013 in SLP (Civil) No.7619 of 2013 by dismissing the Appeal filed by the respondents.

3. The case of the petitioner is that petitioner's father was appointed as Plot Watcher on Daily wage basis in the Forest Department. The petitioner's father was bringing into regular time scale of pay as Plot Watcher (Supernumerary Post) in the scale of pay Rs.2500 -5000 grade pay 500 in the year 2018. On 06.10.2018, the petitioner's father died. Thereafter the petitioner and his mother made a representation 26.09.2019 for compassionate appointment, but till not considered. Hence the present Writ Petition is filed.

4. The learned counsel for the petitioner submitted the after the petitioner lost his father, the petitioner's family suffered acute financial constraints and they find it difficult to meet both ends. Hence they made a representation for compassionate appointment to meet the day to day expenses and it would be suffice to issue direction to the first respondent to dispose of the representation dated 26.09.2019 and pass order on merits and in accordance with law.

5. Mr. M. Elumalai, learned Government Advocate, agrees to dispose of the representation dated 26.09.2019 within a stipulated time.

6. 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 first respondent to dispose of the representation dated 26.09.2019 submitted by the petitioner and pass orders on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

MRN

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To

1. The Principal Chief Conservator of Forest,
Office at Panagal Maligai,
Saidapet, Chennai- 600 015.

2. The District Forest Officer,
Vellore.

+lcc to M/s.S.Mani, Advocate sr.90537

+lcc to The Additional Government Pleader(Forest) sr.90868

W.P. No. 30927 of 2019

bp(co)
nr 07/01/2020