



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.12.2019

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.26755 of 2019

and

W.M.P.(MD)No.23109 of 2019

K.Paulpandi

... Petitioner

vs.

1.The Principal Chief Conservator of Forest
(Chairman of Forest Department)
Chennai 600 015.

2.The Additional Principal Chief Conservator of Forest,
Madurai Region, Madurai-2.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents herein to appoint the petitioner on compassionate ground to any one post of Mali, Animal Keeper and Sweeper-cum-Scavenger in the vacancies as notified by the first respondent in his proceedings L.Dis.No.S1/2201/2015, dated 05.02.2015 in Group-D or any other basic servant post to the petitioner in the respondent department.

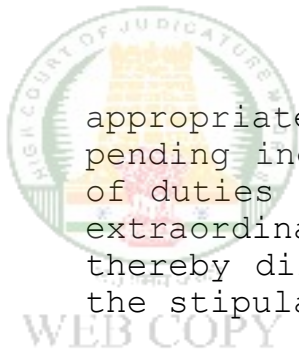
For Petitioner	:	Mr.K.Appadurai
For Respondents	:	Mr.R.Sethuraman Special Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The limited prayer sought for the petitioner is that to consider the representation dated 03.03.2011 seeking for compassionate appiontment.

3. Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merit and pass



appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

4. In view of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representations dated 03.03.2011 on its own merits and pass appropriate orders within a period of six (6) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in his representation and it is for the respondents to consider it in accordance with law.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

To

1. The Principal Chief Conservator of Forest
(Chairman of Forest Department),
Chennai 600 015.

2. The Additional Principal Chief Conservator of Forest,
Madurai Region, Madurai-2.

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

+1 CC to M/s.K.APPADURAI, Advocate (SR-105490[F] dated 18/12/2019)

+1 CC to M/s.SPL.GP (SR-105916[F] dated 19/12/2019)

W.P. (MD) No.26755 of 2019
17.12.2019

KK/SAR/07.01.2020/2P-6C/