



WEB COPY



W.P.No.17765 of 2018

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 08.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17765 of 2018

P.Ramachandran

...Petitioner

Vs

1.Government of Tamil Nadu,
represented by Principal Secretary,
Government, Environment and Forests,
Secretariat,
Chennai - 600 009.

2.The Principal Chief Conservator of Forests,
(Head of the Forest Department),
Chennai - 600 015.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the claim of the petitioner for selection and appointment as Forester by transfer of service and for inclusion of his name in the panel for 2008-09, pursuant to the satisfactory completion of Physical Fitness Test, Walking Test, Certificate Verification in the year 2009 in the light of his representation dated 04.06.2018 to the respondents and to promote him with retrospective effect from the date of promotion of his immediate junior with all consequential benefits except monetary benefits.



W.P.No.17765 of 2018

For Petitioner : Mr.T.Dharani

For Respondents : Mr.K.H.Ravikumar,
Government Advocate

ORDER

This writ petition has been filed seeking for a direction to the respondents to consider the claim of the petitioner for selection and appointment as Forester by transfer of service and for inclusion of his name in the panel for 2008-09, pursuant to the satisfactory completion of Physical Fitness Test, Walking Test, Certificate Verification in the year 2009, in the light of his representation dated 04.06.2018 to the respondents and to promote him with retrospective effect from the date of promotion of his immediate junior with all consequential benefits except monetary benefits.

2. The petitioner herein had given a representation to the respondents on 04.06.2018 seeking for appointment to the post of Forester. Since the said representation was not considered, the present writ petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast



W.P.No.17765 of 2018

WEB COPY

upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 04.06.2018 on its own merits and pass appropriate orders in accordance with law, within a period of eight 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 views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.



WEB COPY

vga



W.P.No.17765 of 2018

08.12.2022



WEB COPY



W.P.No.17765 of 2018

M.S.RAMESH,J.

vga

To

- 1.Government of Tamil Nadu,
represented by Principal Secretary,
Government, Environment and Forests,
Secretariat,
Chennai - 600 009.
- 2.The Principal Chief Conservator of Forests,
(Head of the Forest Department),
Chennai – 600 015.

W.P.No.17765 of 2018

08.12.2022