



WEB COPY



W.P. No.31776 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.31776 of 2022

Rajammal

...Petitioner

vs.

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

2. The Principal Chief Conservator of Forest,
Head of the Forest Department,
Panagal Maligai,
Saidapet,
Chennai – 600 015.

3. The District Forest Officer,
Tiruvanamalai District,
Tiruvanamalai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to implement the order made in W.P. No.18796 of 2019, dated 30.08.2019 by considering the petitioner representation dated 08.11.2022.

For petitioner : Mr.M. Sarath Kumar
For respondents : Mr.T. Arunkumar,
Addl. Govt. Pleader



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ORDER

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

2. Mr. T. Arunkumar, learned Additional Government Pleader accepts notice for the respondents.

3. This writ petition has been filed for a Mandamus seeking for a limited relief.

4. Earlier, W.P. No.18796 of 2019 has been filed by the petitioner's husband. The petitioner now seeks for implementation of the order dated 30.08.2019 passed by this Court in W.P. No.18796 of 2019. In the said order, the respondents therein were directed to pass appropriate orders, granting regularisation to the petitioners therein with effect from 24.01.1995, within a period of four weeks from the date of receipt of a copy of that order. Since that order was not implemented, the petitioner's husband had filed a Contempt Petition. According to the petitioner, since an assurance was given by the respondents to implement the said order, the Contempt Petition came to be closed.

5. According to the petitioner, till date, the order dated 30.08.2019 passed in W.P. No.18796 of 2019 directing the respondents therein to pass appropriate orders in favour of the petitioner's husband has not been



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implemented and therefore, she has now been constrained to file a fresh writ petition seeking for implementation of the said order after the death of her husband.

6. Heard Mr.M.Sarath Kumar, learned counsel for the petitioner and Mr.T. Arunkumar, learned Additional Government Pleader for the respondents.

7. According to the petitioner, her husband C. Rajee, who is one of the petitioners in W.P. No.18796 of 2019, died on 15.01.2021. Hence, she has given a representation on 08.11.2022 to the respondents requesting them to implement the order dated 30.08.2019 passed in W.P. No.18796 of 2019. Since the representation has not been considered till date, she has filed this writ petition. The petitioner also contends that no appeal has been filed against the order dated 30.08.2019 passed in W.P. No.18796 of 2019. The said order has now attained finality.

8. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

9. For the foregoing reasons, this Court directs the 2nd respondent to pass final orders on merits and in accordance with law, on the petitioner's representation dated 08.11.2022 seeking for implementation



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of the order dated 30.08.2019 passed in W.P. No.18796 of 2019, within a period of eight weeks from the date of receipt of a copy of this order.

10. With the aforesaid directions, this writ petition stands disposed of. No costs.

28.11.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To

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ABDUL QUDDHOSE, J.

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