



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.06.2022**

CORAM:

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

W.P. (MD)No.13432 of 2022

Thavamani

... Petitioner

/vs./

1.The Government of Tamilnadu,
Represented by the Secretary to Government,
Finance (Pension) Department,
Fort St.George,
Chennai-9.

2.The Principal Chief Conservator of Forests,
Panagal Building,
Chennai-15.

... 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 as Regular Time Scale of Forest Watchers taking into account of his seniority and qualification, on par with his Juniors by considering his representations, dated 08.02.2022 in the light of the order passed in W.P.No.15561 of 2006, dated 10.03.2008, W.A.No.690 of 2008, dated 13.10.2009 and W.P.No.23374 of 2008, dated 30.10.2009 and W.A.No.607 of 2010, dated 29.03.2010 and confer all consequential benefits.

For Petitioner : Mr.G.Chandrasekar
For Respondents : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

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

2. The petitioner herein had given a representation to the respondents on 08.02.2022 seeking for regularization of the petitioner as Regular Time Scale of Forest Watchers. 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 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 to consider the petitioner's representation dated 08.02.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months 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.

Sd/-

Assistant Registrar (AE)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

Btr

To

1.The Secretary to Government,
The Government of Tamilnadu,
Finance (Pension) Department,
Fort St.George,
Chennai-9.

2.The Principal Chief Conservator of Forests,
Panagal Building,
Chennai-15.

+1 CC to M/s.G. CHANDRASEKAR, Advocate (SR-28692[F] dated 29/06/2022)

+1 CC to M/s.SPL.GP (SR-28760[F] dated 29/06/2022)

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RD(05.07.2022) 2P 5C