



W.P.No.4604 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.4604 of 2023

V. Mohan

...Petitioner

Vs

1. The Principal Chief Conservator of Forests,
Forest Headquartes Building,
Near Kannikapuram Checkpost,
Guindy-Velacherry Main Road,
Guindy, Chennai-600 032.

2. The Conservator of Forests,
Chennai Circle,
259, Anna Salai, DMS Compound,
III Floor, Teynampet,
Chennai-600 006.

3. The District Forest Officer,
Chennai Division,
259, Anna Salai, DMS Compound,
III Floor, Tyenampet, Chennai-600 006

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the salary of the petitioner for the period of service rendered by him from 09.07.2022 to 26.10.2022.



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For Petitioner : Mr.Sathish Kumar

For Respondents : Mr.V.Stalin Abhimanyu
AGP

ORDER

The petitioner herein had given a representation to the respondents on 03.01.2023 seeking for a direction to disburse the salary of the petitioner for the period of service rendered by him from 09.07.2022 to 26.10.2022. Since the said representation was not considered, the present writ petition has been filed.

2. 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.



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3. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 03.01.2023 on its own merits and pass appropriate orders in accordance with law, within a period of four 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 respondents to consider the same on its own merits.

4. With the above direction, the Writ Petition stands disposed of.

No costs.

21.02.2023

Index:Yes/No

Speaking order/Non-speaking order

sr

To

1. The Principal Chief Conservator of Forests,
Forest Headquartes Building,
Near Kannikapuram Checkpost,
Guindy-Velacherry Main Road,
Guindy, Chennai-600 032.



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M.S.RAMESH,J.

SR

2. The Conservator of Forests,
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