



W.P.No.6619 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6619 of 2023

M.Vengatasamy

...Petitioner

Vs

1.The State of Tamil Nadu

Rep. by its Secretary to Government,
Environment and Forest Department,
Fort St. George, Chennai – 9.

2.The Principal Chief Conservator of Forest &

Head of Department,
Panagal Building, Saidapet,
Chennai – 15.

3.The District Forest Officer,

Chengalpattu Forestry Division,
Chengalpet.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider the petitioner's last representation dated 03.01.2022 in respect of regularizing his service in the cadre post of Forest Watcher with effect from 12.05.2017 and also to promote him as Forest Guard with effect



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from 21.10.2021 on par with his junior Mr.R.Sivakumar, by implementing the order made in W.P.No.26010 of 2017 dated 05.10.2017 with all consequential benefits.

For Petitioner : M/s.K.Jenitha

For Respondents : M/s.P.Vijaya Devi
Government Advocate

ORDER

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

2. The petitioner herein had given a representation to the second respondent on 03.01.2022 seeking for a direction to regularize his service and to promote him on par with his juniors. 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



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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 03.01.2022 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.

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

03.03.2023

Index: Yes/No
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M.S.RAMESH,J.

hvk

To

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Environment and Forest Department,
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