



W.P.No.16552 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.16552 of 2022

G. Janaki

... Petitioner

Vs.

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

2.The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet,
Chennai – 600 015.

3.The Managing Director,
Tamil Nadu Tea Plantation Corporation Limited,
Registered Office, TANTEA Complex,
Coonoor – 643 101.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to appoint and absorb the petitioner as Forest Watcher or Office Assistant on the basis of her representation dated 14.02.2022 with all consequential benefits within time frame as fixed by this Court.



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For Respondents : Mr.P. Sanjay Gandhi,
Government Advocate [R1 & R2]
Mr.K.H. Ravi Kumar [R3]

ORDER

The petitioner herein had given representations to the respondents on 13.01.2020 and 14.02.2022, seeking to appoint and absorb her as Forest Watcher or Office Assistant. Since the said representations were not considered, the present Writ Petition has been filed.

2. It is needless to point out that whenever representations of this nature is made to a Statutory Authority, there is a duty cast upon the respondent 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 respondents herein, to consider the petitioner's representation dated 14.02.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) 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.

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

No costs.

01.06.2023

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Principal Secretary to Government,
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