



W.P.No.17957 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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1.C.Veeran
2.P.Annadurai
3.S.Raman
4.C.Karuppaiah
5.V.Surulirajan
6.P.Krishnamoorthy
7.M.Natarajan
8.N.Murugesan
9.C.Arumugam
10.P.Murthy

... Petitioners

Vs.

1.The State of Tamil Nadu
Rep. by its Secretary to
Government, Environment,
Climate Change & Forest Department,
Fort St.George, Chennai-9.

2.The Principal Chief Conservator
of Forests, Head of Forest Force,
Joint Forest Management,
Velachery Main Road,
Guindy, Chennai-32.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to regularize the petitioners on par with their juniors in the post of Forest Watcher with effect from 24.01.1995 for the purpose of getting pension by considering their representation dated 01.12.2022 in the light of the order passed in W.P. No.27598 of 2011 dated 05.02.2013, W.P.No.21574 of 2021 dated 06.10.2021, Proceedings in Ref.No.LL2/54670/2011 dated 28.09.2013 and G.O.(2D) No.96 Environment, Climate Change and Forest (FR.2(ii) Department dated 08.07.2022 with all consequential benefits within time frame.

For Petitioners : Ms.K.Jenitha

For Respondents : Mr.P.Gurunathan,
Additional Government Pleader

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioners herein had given a representation to the respondents on 01.12.2022 seeking to regularize their services on par with their juniors in the post of Forest Watcher with effect from 24.01.1995 for



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the purpose of getting pension in the light of the order passed in W.P.No. 27598 of 2011 dated 05.02.2013, W.P.No.21574 of 2021 dated 06.10.2021, Proceedings in Ref.No.LL2/54670/2011 dated 28.09.2013 and G.O.(2D) No.96 Environment, Climate Change and Forest (FR.2(ii) Department dated 08.07.2022 with all consequential benefits. Since the said representation has not yet been considered, the Writ Petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to Statutory Authorities, there is a duty cast upon them 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 Authorities 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 respondents to consider the petitioners' representation dated 01.12.2022



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on its own merits and pass appropriate orders in accordance with law, within a period of eight 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 petitioners 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.

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Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

To

1. The State of Tamil Nadu Rep. by its Secretary to Government,
Environment, Climate Change & Forest Department,
Fort St. George, Chennai-9.

2. The Principal Chief Conservator of Forests, Head of Forest Force,
Joint Forest Management, Velachery Main Road,
Guindy, Chennai-32.

RS/HVK



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M.S.RAMESH,J.

RS/HVK

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