



WEB COPY



W.P.No.18978 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18978 of 2023

K.Udaya Kumar

...Petitioner

Vs

1.The Principal Chief Conservator of Forest,
Head of the Department,
Guindy Velachery Main Road,
Near Kannigapuram Check Post,
Guindy, Chennai – 600 032.

2.The Director and Additional Principal Chief
Conservator of Forest,
Arignar Anna Zoological Park,
Vandalur, Chennai – 600 048.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pass orders on the petitioner representations dated 04.04.2022 and 25.01.2023 for issuing posting order to the petitioner and other benefits.

For Petitioner : Mr.T.Dharani

For Respondents : Mr.P.Gurunathan
Additional Government Pleader



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ORDER

With the 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 04.04.2022 and 25.01.2023, requesting them to allow him to continue in the present station itself. The said representations have not been considered till date. Hence, the petitioner has approached this Court by way of this Writ Petition.

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 him 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 the Constitution of the India and direct them to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representations dated 04.04.2022 and 25.01.2023, 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 made by 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.

27.06.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

hvk

To

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