



WEB COPY



W.P.No.30625 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30625 of 2023

T.Muruganantham

... 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 the Department,
Panagal Building,
Saidapet, Chennai – 15.

3.The District Forest Officer,
Interface Forestry Division,
Sirumalai, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to grant appointment in a suitable post on compassionate ground by considering the petitioner's representation dated 09.08.2019 in the light of the order made in W.P.(MD)No.4679 of 2018 dated 10.08.2021.



W.P.No.30625 of 2023

WEB COPY

For Petitioner : Ms.K.Jenitha

For Respondents : Mr.P.Ganesan
Government Advocate

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 petitioner herein had given representation to the second respondent on 09.08.2019 seeking appointment on compassionate ground. Since the said representation has not yet been considered, the above 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 indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this



W.P.No.30625 of 2023

Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct him 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 09.08.2019 on its own merits and pass appropriate orders in accordance with law, within a period of twelve 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 second respondent to consider the same on its own merits.

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

No costs.

30.10.2023

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

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W.P.No.30625 of 2023

M.S.RAMESH,J.

hvk

To

- 1.The Secretary to Government,
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- 2.The Principal Chief Conservator of Forest &
Head of the Department,
Panagal Building,
Saidapet, Chennai – 15.
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W.P.No.30625 of 2023

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