



W.P.No.34519 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.34519 of 2023

R. Raman

... Petitioner

Vs.

1.The Principal Chief Conservator of Forest,
Head of the Department,
Guindy Vellachery Main Road,
Near Kannigapuam Check Post,
Guindy, Chennai – 32.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the notional promotion to the petitioners as Forest Guard on par with their juniors by including their name in the panel drawn for the year 2003-2007 with effect from 31.05.2004 in the light of the order passed in WP.No.22762 of 2014 dated 22.08.2014 and in the light of the



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proceedings of the second respondent dated 16.08.2017 by considering the representation dated 02.01.2018 of the petitioners with the time limit to be stipulated by this Court.

For Petitioner : Ms.T. Dharani

For Respondents : Mr.M. Bindran,
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 prayer sought for in the present Writ Petition is for a direction to the respondents to consider the notional promotion of the petitioner as Forest Guard on par with his junior by including his name in the panel drawn for the year 2003-2007 with effect from 31.05.2004. The petitioner has also given a representation dated 02.01.2018 for the same. In this regard, the Conservator of Forest, Dharmapuri Zone has also given a proposal dated 19.02.2018 to the second respondent.



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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 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 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 result, there shall be a direction to the respondents herein, to consider the petitioner's representation dated 02.01.2018, in the light of the proposal dated 19.02.2018 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.



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M.S.RAMESH,J.

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5. Accordingly, the Writ Petition stands disposed of. No costs.

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Index: Yes/No

Speaking/Non-speaking order

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To

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