



W.P.(MD) No.6483 of 2024

WEB CO BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.6483 of 2024

R.Jeyakodi

.. Petitioner

Vs.

1. The Chief Conservator of Forest,
Panagal Maligai,
Saidapettai, Chennai 15.

2. The Accountant General A &E,
Tamil Nadu, Chennai 18.

3. The District Forest Officer,
District Forest Officer,
Dindigul Collector Office Campus,
Dindigul.

... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 10.02.2024, for his family pension and all other monitory benefits from the date of retirement dated 30.11.2011 as per the G.O.(D).No. 195, of the Tamil Nadu Forest Subordinate Service, issued order of the promotion for the post of Ranger and subsequently received the salary dated 10.08.2011 and grant all other monetary benefits to till date within a time frame that may be stipulated by this Court.

For Petitioner : Mr.V.Palanichamy

For R1 & R3 : Mr.M.Ramesh Kumar
Government Advocate

For R2 : Mr.P.Gunasekaran
Standing Counsel



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ORDER

The petitioner has filed this Writ Petition seeking a Writ of Mandamus to direct the first respondent i.e., the Chief Conservator of Forest, Panagal Maligai, Saidapettai, Chennai-15, to pass appropriate orders regarding the family pension and all other monetary benefits from the date of retirement ie., 30.11.2011 in the post of Ranger.

2. Heard Mr.V.Palanichamy, learned counsel for the petitioner, Mr.M.Ramesh Kumar, learned Government Advocate for the respondents 1 & 3 and Mr.P.Gunasekaran, learned Standing Counsel for the second respondent.

3. Mr.V.Palanichamy, learned counsel for the petitioner submitted that the petitioner was promoted to the post of Ranger from the post of Forester and he has received the salary to the post of



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Ranger with effect from 10.08.2011 and after four months the petitioner had retired from service on 30.11.2011. But the pension and all other monetary benefits were calculated and fixed in the post of Forester. Hence, the petitioner herein had given a representation to the respondents on 10.02.2024 regarding the family pension and all other monetary benefits from the date of retirement ie., 30.11.2011 in the post of Ranger. Since the said representation was not considered, the present writ petition has been filed.

4. 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. The failure on the part of the authority had



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prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.

5. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 10.02.2024 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 gone into the merits of the claim of the petitioner and it is open to the first respondent to consider the same on its own merits.



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6. With the above direction, the Writ Petition stands disposed of. No costs.

10.04.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
P JL

To

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Saidapettai, Chennai 15.

2. The Accountant General A &E,
Tamil Nadu, Chennai 18.

3. The District Forest Officer,
District Forest Officer,
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R.N.MANJULA, J.

PJL

Order made in
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