



WP(MD) No.9903 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.04.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.9903 of 2024

M.Ramachandran

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Environment and Forest Department,
Secretariat,
Chennai - 600 009.

2.The Principal Chief Conservator of Forests,
Head of Forest Force,
Panagal Building,
No.1, Zeenis Road,
Saidapet,
Chennai - 600 015.



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3.The Conservator of Forest
Virudhunagar Circle,
Virudhunagar.

4.The Wildlife Warden
Gulf of Mannar,
Marine National Park,
Collectorate Post,
Ramanathapuram - 623 503,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the first respondent i.e., the Additional Chief Secretary to Government, Environment and Forest Department, Chennai to pass appropriate orders regarding the notional promotion of the petitioner as Ranger on par with his junior Thiru. G. Gnanaguru as per Govt. Letter No. 8665/Vanam.2(i)/2023-1 dated 11.01.2024 within a specified time frame (since the petitioner is aged 83 years).



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For Petitioner : Mr.S.Visvalingam

For Respondents: Mr.T.Amjadkhan

Government Advocate

ORDER

The petitioner has filed this Writ Petition seeking a Writ of Mandamus to direct the first respondent i.e., the Additional Chief Secretary to Government, Environment and Forest Department, Chennai to pass appropriate orders regarding the notional promotion of the petitioner as Ranger on par with his junior Thiru. G. Gnanaguru as per Govt. Letter No.8665/Vanam. 2(i)/2023-1 dated 11.01.2024 within a specified time frame (since the petitioner is aged 83 years).

2. Heard Mr.S.Visvalingam, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate for the respondents.



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

4. The petitioner herein had given a representation to the respondents on 21.12.2023 regarding the notional promotion of the petitioner as Ranger in the year 1980 on par with his junior Thiru.G.Gnanaguru as per Government Letter No. 8665/vanam2(i)/2023-1 dated 11.01.2024 and to send revised pension proposals. Since the said representation was not considered, the present writ petition has been filed.

5. 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



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dereliction of duty. The failure on the part of the authority had 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 direction to consider the representation of the petitioner within a specified time frame.

6. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 21.12.2023 on its own merits and pass appropriate orders in accordance with law, within a period of two 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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7. With the above direction, the Writ Petition stands

disposed of. No costs.

23.04.2024

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

RM

Note : Issue Order copy on 24.04.2024



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To
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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.9903 of 2024

23.04.2024