



W.P.No.11753 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2025

WEB COPY

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.11753 of 2023

Kamba Chellammal

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Environment and Forest Department,
Fort St.George,
Chennai – 600 009.
- 2.The District Conservator of Forests,
Environment and Forests,
Dharmapuri Forest District,
Dharmapuri District,
Dharmapuri
- 3.The District Conservator of Forests,
Krishnagiri Forest District,
Krishnagiri District,
Krishnagiri.
- 4.The District Conservator of Forests-
Environment and Forest,
Harur Forest Division,
Harur,
Dharmapuri District.



W.P.No.11753 of 2023

WEB COPY

5.The District Forest Officer,
Social Forestry and Extension Division,
Krishnagiri.

*(R5 suo-mottu impleaded as per the order dated 08.01.2025 by JSNPJ in
W.P.No.11753 of 2023)*

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 16.03.2023 in accordance with law and disburse the terminal benefits of the deceased husband Gunasekaran @ Gungori Gunasekaran to the legal heirs of the deceased.

For Petitioner : Mr.R.Sankarasubbu

For Respondents 1 to 5 : Mr.S.Rajesh,
Government Advocate

ORDER

This writ petition has been filed by the petitioner to direct the respondents to consider the representation of the petitioner dated 16.03.2023 in accordance with law and disburse the terminal benefits of the deceased husband Gunasekaran @ Gungori Gunasekaran to the legal heirs of the

Page No.2 of 9



W.P.No.11753 of 2023

deceased.

WEB COPY

2. Learned counsel for the petitioner submitted that her husband viz., Gunasekaran @ Sungori Gunasekaran retired as Forester. While working, he was placed under suspension in false cases and convicted with other co-accused. He was died on 15.01.2008 during the course of trial and this Court acquitted the petitioner's husband on 25.03.2010. Therefore, the petitioner requested the respondents to disburse the terminal benefits of her late husband. But, her case was not considered. Therefore, she submitted a representation dated 16.03.2023 before the respondents. However, the same was not considered till date. Hence, the petitioner has come forward with the present writ petition.

3. Learned Government Advocate appearing for the respondents would submit that the petitioner has submitted her representation on 16.03.2023 but, she has not enclosed the relevant documents along with the said representation to consider her case. In this regard, the respondents have sent a letter to the petitioner bearing Lr.No.1055/2023, dated 05.03.2024 to



W.P.No.11753 of 2023

submit the documents viz., Death Certificate, Legal Heirship Certificate, Non-remarriage Certificate, Application for sanction of family pension proposal, Aadhar Card Xerox Copy, Bank Account Passbook Xerox Copy, Pan card, Consent letter of other legal heirs in making payment of DCRG and No objection certificate, within a period of one week from the date of the letter i.e., on or before 12.03.2024. But, the same was not submitted by the petitioner till date.

4. Learned Government Advocate appearing for the respondents submitted that since the District Forest Officer, Social Forestry and Extension Division, Krishnagiri is the competent authority to consider the case of the petitioner, this Court may suo-motu implead the District Forest Officer, Social Forestry and Extension Division, Krishnagiri and issue direction to consider the petitioner's representation within a stipulated time frame to be fixed by this Court.

5. Heard the learned counsel on either side and perused the materials available on record.



W.P.No.11753 of 2023

WEB COPY

6. On perusal of the letter dated 05.03.2024, the District Forest Officer, Social Forestry and Extension Division, Krishnagiri has directed the petitioner to produce the documents viz., Death Certificate, Legal Heirship Certificate, Non-remarriage Certificate, Application for sanction of family pension proposal, Aadhar Card Xerox Copy, Bank Account Passbook Xerox Copy, Pan card, Consent letter of other legal heirs in making payment of DCRG and No objection certificate. **In the said 9 documents, the Non-remarriage Certificate is not relevant to the case of the petitioner, since she is now aged about 75 years and as on date of her representation, she was 73 years old. Moreover, at the time of the death of her husband in the year 2008, the age of the petitioner was 58 years. Hence, there is no question of her getting re-married.**

7. Considering the submission made by the learned Government Advocate appearing for the respondents, it is necessary to implead the District Forest Officer, Social Forestry and Extension Division, Krishnagiri as one of the respondents in this writ petition, since he is the



W.P.No.11753 of 2023

competent authority to consider the case of the petitioner. Accordingly,

The District Forest Officer, Social Forestry and Extension Division,

Krishnagiri is *suo-motu* impleaded as fifth respondent by this court.

8. In view of the above factual matrix of the case, this Court issues the following directions:

(i) The petitioner is directed to submit all the relevant documents, except the Non-remarriage certificate before the suo-mottu impleaded fifth respondent, within a period of three weeks from the date of receipt of a copy of this order.

(ii) On receipt of the relevant documents, the suo-mottu impleaded fifth respondent/ The District Forest Officer, Social Forestry and Extension Division, Krishnagiri is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of six weeks thereof.

9. This writ petition is disposed of with the aforesaid observation and



W.P.No.11753 of 2023

directions. No costs.

WEB COPY

08.01.2025

Note: Registry is directed to carry out the necessary amendment in the cause title.

vm

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

To:

1.The Secretary,
Environment and Forest Department,
Fort St.George,
Chennai – 600 009.

2.The District Conservator of Forests,
Environment and Forests,
Dharmapuri Forest District,
Dharmapuri District,
Dharmapuri

3.The District Conservator of Forests,
Krishnagiri Forest District,
Krishnagiri District,
Krishnagiri.

Page No.7 of 9



W.P.No.11753 of 2023

WEB COPY

4.The District Conservator of Forests-
Environment and Forest,
Harur Forest Division,
Harur,
Dharmapuri District.

5.The District Forest Officer,
Social Forestry and Extension Division,
Krishnagiri.

J.SATHYA NARAYANA PRASAD,J.

vm



WEB COPY



W.P.No.11753 of 2023

W.P.No.11753 of 2023

08.01.2025