

Copy of Circular No.858/C1/69/Law dated 17-1-69 to all Heads of Departments and Officers.

Sub:- Petitions filed in High – Court –Contesting of instructions to hands of department.

It has been brought to the notice of Government that in writ petitions filed in the high Court, wherein Heads of Department and other officers are impleaded, officers so impleaded request Government to make necessary arrangements for defending the O.P. Very often petitions for stay are moved along with the writ petitions usually the High Court ordering interim stay after hearing the petitioner's Advocate, posts the same for hearing the parties with short notice. Since instructions to enter appearance and contest are not given to Advocate General in time by the departments, the stay petitions are not contested and so are allowed.

In many cases, the Court would not have allowed stay, if they were properly contested on the hearing dates. Such stay orders which are likely to cause administrative inconvenience are often got vacated later by moving the High Court separately. To avoid, this, it is necessary that instructions are immediately given to Advocate General to contest such petitions and when the Heads of Department or Officers receive notice of a stay petition. Government are therefore, pleased to order that the heads of Departments or other Officers impleaded may contact the Advocate General to contest such petitions and when the Heads of Department or Officers receive notice of a stay petition.

Government are therefore, pleased to order that the heads of Departments or other Officers impleaded may contact the Advocate General directly to give him necessary instructions for making necessary arrangements and to enter appearance on the dates posted for hearing the stay and later inform the Government of the action taken.

(By Order of the Governor)
Sd/-
Chief Secretary to Government.

Endt. on G1-3161/69 (L.Dis) dated 20-3-69:

Copy forwarded to all subordinate officers for information and strict attention.

Sd/-
for Chief Conservator of Forests.

Endt. on G1-7455/69 dated 11-4-69:

Copy to sections TR. CH, ML, KT, E1, Stock File and Senior Superintendent.

For Conservator of Forests, Trichur.