



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 31537 of 2019

Sugumar

..Petitioner

vs

1.The Municipal Commissioner  
O/o. Municipal Commissioner,  
Mettur Municipality,  
Mettur Dam-1, Salem District.

2.Savithri

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1<sup>st</sup> respondent to take action pursuant to the petitioner representation dated 03.10.2019 and pass orders.

For Petitioner : Mr. R.Thirumoorthy

For Respondents : Mr. V. Jayaprakash Narayanan, GP

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus to directing the 1<sup>st</sup> respondent to take action pursuant to the petitioner representation dated 03.10.2019 and pass orders.

2. Heard both sides and perused the records. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioners is that the petitioner is distant relative of the deceased person namely Perumal, who died while he was in service in Mettur Municipality, Salem District. The 2<sup>nd</sup> respondent, who claimed herself as wife of the deceased was given appointment as sweeper in the vacancy arose consequent to the death of deceased Perumal. Challenging the said appointment, the petitioner has sent representation dated 03.10.2019 to the 1<sup>st</sup> respondent. However, no action has been taken on the said representation, the petitioner has preferred this writ petition.



4. Mr. R.Thirumoorthy, learned counsel appearing for the petitioner has submitted that it would suffice, if this Court issues direction to the 1<sup>st</sup> respondent to consider the petitioner's representation dated 03.10.2019 and pass appropriate orders within the reasonable time.

5. Considering the facts and circumstances of the case and also fact that already an appointment order was issued by the 1<sup>st</sup> respondent infavour of the 2<sup>nd</sup> respondent namely Savithri, this Court is not inclined to give direction to the 1<sup>st</sup> respondent to consider the representation, unless the order of appointment is challenged by the petitioner.

6. In view of the above, the writ petition stands dismissed. However, the petitioner is granted liberty to workout his remedies in the manner known to law. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

The Municipal Commissioner  
O/o. Municipal Commissioner,  
Mettur Municipality,  
Mettur Dam-1, Salem District.

W.P.No.31537 of 2019

A.SK(21/01/2020)