



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P (MD) No.3594 of 2019

WEB COPY

Maheswari.M

... Petitioner

vs.

1.The Secretary

Disaster Management and Revenue Department
Fort.St.George
Chennai- 09

2. The District Collector

Thanjavur District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant medical expenses to petitioner's husband N.Manivannan an accident occurred on 21.11.2018 due to accident while carry out the street lights repairing works after the recent Gaja Cyclone devastating incident as referred above and direct the second respondent herein to compensate the above petitioner's husband has been entitled to get Government service to petitioner's.

For Petitioner : Mr.A.Arun

For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

Mr.A.Arun, learned counsel on record for writ petitioner is before this Court.

2. Mr.Ayiram K.Selvakumar, learned Additional Government Pleader, accepts notice on behalf of the respondents.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 13.02.2019 wherein the writ petitioner has sought a Government job on the basis that her spouse had suffered electrical accident while carrying out street light repair works during the recent Gaja Cyclone natural calamity.



5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the second respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 13.02.2019 with rectification request, details of which have been alluded to supra.

6. Learned State counsel submitted that the second respondent is the authority who shall consider the aforementioned representation dated 13.02.2019 made by the writ petitioner (page Nos.9 and 11 (clean copy) of the typed set of papers forming part of the case file).

7. It is made clear that in the course of the representation being considered by the second respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the second respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

8. The aforesaid representation dated 13.02.2019 shall be disposed of by the second respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within fortnight from the date of receipt of a copy of this order.

9. The proceeding / order of disposal shall be communicated by the office of the second respondent to the writ petitioner under due acknowledgement within three working days from the completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)



To

1.The Secretary
Disaster Management and Revenue Department
Fort.St.George, Chennai- 09

2. The District Collector
Thanjavur District

+1 CC to M/s.A.ARUN, Advocate (SR-86250[F] dated 12/09/2019)

+1 CC to M/s.GP (SR-86286[F] dated 12/09/2019)

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