



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.25879 of 2019

WEB COPY

K.Balamurugan

... Petitioner

vs.

1.The Director of Medical and Rural Health Services,
Directorate of Medical and Rural Health Services,
Chennai-6.

2.The Dean,
Madurai Rajaji Government Hospital,
Madurai,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 19.08.2019 and 16.10.2019 for the post of House Keeper in the second respondent Hospital within the period that may be stipulated by this Court.

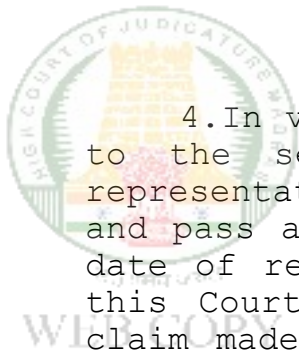
For Petitioner	:	Mr.A.Nawaz khan for M/s.Ajmal Associates
For Respondents	:	Mr.M.Jeyakumar Additional Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The limited prayer sought for in the present writ petition is, to consider the petitioner's representations, dated 19.08.2019 and 16.10.2019 for considering the petitioner's candidature for the post of House Keeper in the second respondent Hospital.

3.Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondent to consider the same on its own merit and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct the such authority to consider the representation within the stipulated time.



4. In view of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representations dated 19.08.2019 and 16.10.2019 on its own merits and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in his representations and it is for the second respondent to consider it in accordance with law.

5. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

rmk

To:-

1. The Director of Medical and Rural Health Services,
Directorate of Medical and Rural Health Services,
Chennai-6.

2. The Dean,
Madurai Rajaji Government Hospital,
Madurai,
Madurai District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-103746[F] dated 06/12/2019)

+1 CC to M/s.SPL GP (SR-103828[F] dated 06/12/2019)

W.P. (MD) No.25879 of 2019

05.12.2019

_KK/SAR/26.12.2019/2P-5C/