



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.527 of 2020

WEB COPY

R.Vijayalakshmi

: Petitioner

Vs

1. The Commissioner of Social Welfare
Social Welfare Department
2nd Floor, Panagal Buildings
Saidapet
Chennai - 600 015

2. The District Project Officer
Collectorate Complex
Villupuram District
Villupuram

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent i.e the District Project Officer, Collectorate Complex, Villupuram to comply with the orders of the first respondent i.e, the Commissioner of Social Welfare, Chennai as per his letter No.8359/No4(2)/2019 dated 22.03.2019 within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.C.M.Marichellaiah Prabhu
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. Though the petitioner has sought for issuance of Writ of Mandamus to the second respondent to comply with the orders of the first respondent as per his letter No.8359/No4(2)/2019 dated 22.03.2019, in my view, such a decision is to be taken by the respondents and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

3. The petitioner would submit that he has already made representation on 17.02.2019 in this regard, which is said to be pending. If the said representation is directed to be disposed of within stipulated time, the ends of justice could be secured.



4. Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merits 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 such authority to consider the representation within the stipulated time.

5. In view of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation, dated 17.02.2019, in the light of the recommendations of the first respondent in his letter No.8359/No4 (2)/2019 dated 22.03.2019 and pass appropriate orders within a period of six (6) 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 the representation and it is for the respondents to consider it in accordance with law.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Vrn

To

1. The Commissioner,
Social Welfare Department
2nd Floor, Panagal Buildings
Saidapet
Chennai - 600 015

2. The District Project Officer
Collectorate Complex
Villupuram District
Villupuram

+1 CC to MR.S.VISVALINGAM, Advocate (SR-1289[F] dated 10/01/2020)
+1 CC to SPL.GP (SR-1938[F] dated 20/01/2020)

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MK (03.02.2020) 2P 5C

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