



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.01.2020**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S. RAMESH**

W.P. (MD) No.1331 of 2020

and

W.M.P (MD) No.1079 of 2020

WEB COPY

D.Anubama

... Petitioner

/vs./

1.The Principal Secretary to Government,
Home Department,
Fort St.George,
Chennai-600 009.

2.The Director General of Police,
Police Directorate,
Kamarajar Salai,
Chennai-600 005.

3.The Superintendent of Police,
Madurai District,
District Police Office,
Alagarcoil Main Road,
Moondrumavadi,
Madurai-625 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for records pertaining to the communication issued in Na.Ka.No.P3/38617/2017 dated 23.11.2017 on the file of the third respondent and quash the same as illegal and further direct the third respondent to send the application of the petitioner herein for appointment under compassionate grounds to the second respondent within a stipulated time which may be fixed by this Court.

For Petitioner : Mr.K.P.Krishna Doss

For Respondents : Mr.C.M.Mari Chelliah Prabhu

Additional Government Pleader

ORDER

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 Certiorari to quash the communication issued by the third respondent in Na.Ka.No.P3/38617/2017 dated 23.11.2017 and further

<https://hsevp.cemilab.gov.in/hsevp-service>



direct the third respondent to send the application of the petitioner herein for appointment under compassionate grounds to the second respondent, the learned counsel for petitioner now abridged the prayer and submitted that it would suffice if the representation dated 05.11.2019 given by the petitioner is directed to be considered by the respondents within a stipulated time, the ends of justice could be secured.

3. 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.

4. In view of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation, dated 05.11.2019, on its own merits and pass appropriate orders within a period of eight (8) 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 her representation and it is for the first respondent to consider it in accordance with law. In case, the petitioner is aggrieved against such a decision taken by the first respondent, it would be appropriate to approach this Court.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

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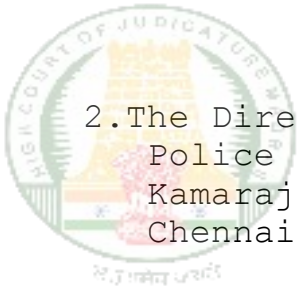
/ /2020

Sub Assistant Registrar (CS)

cp

To:

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+1 CC to MR.K.P.KRISHNADOSS, Advocate (SR-2849[F] dated
24/01/2020)

+1 CC to SPL.GP (SR-3142[F] dated 27/01/2020)

Order made in
W.P.(MD) No.1331 of 2020
23.01.2020

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