



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.01.2020**

CORAM:

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

W.P. (MD) No.1548 of 2020

and

W.M.P. (MD) No.1264 of 2020

WEB COPY

G.Anitha

... Petitioner

/vs./

1.The District Collector,
Collectorate,
Ramanathapuram.

2.The Commissioner,
O/o., The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram.

3.The Sanitary Officer,
Ramanathapuram Municipality,
Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned suspension order against the petitioner passed by the second respondent in Na.Ka.No.83/2020/C1 dated 20.01.2020 and quash the same as illegal, consequently directing the second respondent to regularize the petitioner service by considering her explanation dated 23.01.2020.

For Petitioner : Mr.A.Abdul Kabur

For Respondents : Mr.M.Karuppasamy

Government Advocate

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 certiorarified mandamus to quash the impugned suspension order against the petitioner passed by the second respondent in Na.Ka.No.83/2020/C1 dated 20.01.2020, the learned counsel for petitioner now abridged the prayer and submitted that it would suffice if the representation dated 23.01.2020 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 second respondent herein to consider the petitioner's representation, dated 23.01.2020, on its own merits and pass appropriate orders within a period of four (4) 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 second respondent to consider it in accordance with law. In case, the petitioner is aggrieved against such a decision taken by the second 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-I)

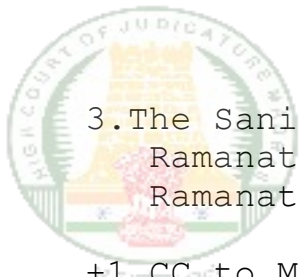
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/ /2020

Sub Assistant Registrar (CS)

To:

- 1.The District Collector,
Collectorate,
Ramanathapuram.
- 2.The Commissioner,
O/o., The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram.



3.The Sanitary Officer,
Ramanathapuram Municipality,
Ramanathapuram.

+1 CC to MR.S.M.A.JINNAH, Advocate (SR-3718[F] dated 29/01/2020)

+1 CC to SPL.GP (SR-3359[F] dated 28/01/2020)

Order made in
W.P.(MD)No.1548 of 2020

Dated:
27.01.2020

_KM/(04.02.2020) 3P 6C