



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.01.2020**

CORAM:

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

W.P. (MD) No.1905 of 2020

R.Premkumar

... Petitioner

/vs./

1.The Principal Secretary/
Revenue Administration Commissioner,
Chepauk,
Chennai.

2.The District Collector,
Pudukkottai District,
Pudukkottai.

3.The Divisional Excise Officer,
Divisional Excise Office,
Collectorate,
Pudukkottai,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to provide any suitable job to the petitioner under the compassionate appointment based on the petitioner's application dated 23-12-2019 within stipulated time frame by this Court.

For Petitioner : Mr.G.Mathavan

For Respondents : Mr.M.Jeyakumar

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.The limited prayer sought for by the petitioner is that to consider the representation dated 23.12.2019 seeking to provide any suitable job to the petitioner on compassionate ground.

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 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 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 23.12.2019 on its own merits and pass appropriate orders within a period of eight 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 representation 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 (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

mm

To

1.The Principal Secretary/
Revenue Administration Commissioner,
Chepauk,
Chennai.

2.The District Collector,
Pudukkottai District,
Pudukkottai.

3.The Divisional Excise Officer,
Divisional Excise Office,
Collectorate,
Pudukkottai,
Pudukkottai District.

+1 CC to M/s.SPL.GP (SR-4401[F] dated 03/02/2020)

+1 CC to M/s.G.MATHAVAN, Advocate (SR-3937[F] dated 30/01/2020)

W.P. (MD) No.1905 of 2020
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KK/SAR/07.02.2020/2P-6C/