



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.02.2020**

CORAM:

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

W.P. (MD) No.2024 of 2020

K.Uma Maheswari

... Petitioner

/vs./

1.The Principal Secretary to Government,
Revenue Department,
Secretariat,
Chennai 600 009.

2.The Additional Chief Secretary/Commissioner of
Revenue Administration,
Ezhilagam,
Chepauk,
Chennai 600 005.

3.The District Collector,
Virudhunagar District,
Virudhunagar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent ie., the Additional Chief Secretary/Commissioner of Revenue Administration, Chennai to forward the proposals sent by the District Collector, Virudhunagar in his letter No.A2/28795/2018 dated 07.05.2019 to the Government ie., the first respondent ie., the Principal Secretary to Government, Revenue Department, Chennai, 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

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 Mandamus to the second respondent to forward the proposal sent by the District Collector, Virudhunagar in his letter No.A2/28795/2018 dated 07.05.2019 to the first respondent, 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 more appropriate to approach this Court.



3.The petitioner would submit that the third respondent has already sent a proposal on 07.05.2019 in this regard, which is said to be pending. If the said proposal 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 third respondent's proposal, dated 07.05.2019 to forward the same to the first respondent, 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 her representation and it is for the second respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Principal Secretary to Government,
Revenue Department,
Secretariat,
Chennai 600 009.

2.The Additional Chief Secretary/Commissioner of
Revenue Administration,
Ezhilagam,
Chepauk, Chennai 600 005.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The District Collector,
Virudhunagar District,
Virudhunagar.

+1 CC to MR.S.VISVALINGAM, Advocate (SR-4377[F] dated
03/02/2020)

+1 CC to SPL.GP (SR-4775[F] dated 05/02/2020)

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