



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2020

CORAM:

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

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W.P.(MD)No.3219 of 2020

Muthuraman

... Petitioner

/vs./

- 1.The Chief Engineer,
Office of the Chief Engineer (H),
Nabard & Rural Roads, Block 3, 3rd Floor,
SIDCO Electronics Complex, Guindy, Chennai.
- 2.The Superintendent Engineer,
Nabard & Rural Roads, A.R.Line, Ilandaikulam,
Palayamkottai, Tirunelveli District.
- 3.The Divisional Engineer,
Nabard & Rural Roads, A.R.Line, Ilandaikulam,
Palayamkottai, Tirunelveli District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to dispose of the reference made by the second respondent vide letter No.549/2019/A2 dated 30.04.2019 to appoint the petitioner in any one of the post of the respondent's department on compassionate ground within a time frame that may be stipulated by this Court.

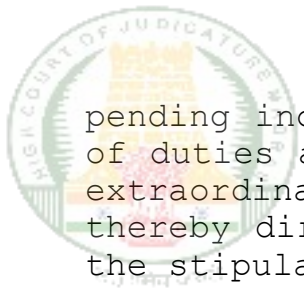
For Petitioner : Mr.I.Velpradeep
For Respondents : Mr.M.Jeyakumar
Additional Government Pleader

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 direct the first respondent to dispose of the reference made by the second respondent vide letter No.549/2019/A2 dated 30.04.2019 seeking for to appoint the petitioner in any one of the post of the respondent's department 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.

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4. In view of the above observations, there shall be a direction to the first respondent herein to dispose of the reference made by the second respondent vide letter No.549/2019/A2 dated 30.04.2019 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 second respondent in his communication and it is for the first respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1.The Chief Engineer,
Office of the Chief Engineer (H),
Nabard & Rural Roads, Block 3, 3rd Floor,
SIDCO Electronics Complex, Guindy, Chennai.
- 2.The Superintendent Engineer,
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- 3.The Divisional Engineer,
Nabard & Rural Roads, A.R.Line, Ilandaikulam,
Palayamkottai, Tirunelveli District.

+1 CC to M/s.Special Govt.Pleader (SR-7045[F] dated 19/02/2020)

Order made in
W.P. (MD) No.3219 of 2020

Dated:
18.02.2020

rmk

SDS (02.03.2020) 2P-5C