



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No. 3932 of 2020

M. Sermakani

... Petitioner

/vs./

1. The Revenue Divisional Officer (in-Charge)
cum The District Manager,
Tamil Nadu Hosing Development Corporation Ltd.,
Aruppukottai Division,
Virudhunagar District.

2. The District Revenue Officer,
O/o. District Revenue Office,
Virudhunagar District,
Virudhunagar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the representation made on 18.06.2019 and 17.02.2020 for revocation of suspension order issued by the 1st respondent in his proceedings in Na.Ka.A1/1155/2018 dated 16.02.2018 and to reinstate the petitioner in the post of Village Administrative Officer with all attendant and monetary benefits.

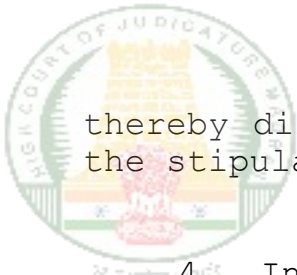
For Petitioner	:	Mr.D.Farjanaghoushia
For Respondents	:	Mr.R.Sethuraman Special Government Pleader

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 his representations dated 18.06.2019 and 17.02.2020 seeking a direction to the respondents to revoke the suspension order issued by the first respondent in his proceedings in Na.Ka.A1/1155/2018 dated 16.02.2018 and to reinstate him in the post of Village Administrative Officer with all attendant and monetary benefits.

3. Whenever a representation is made to a statutory authority to redress the claim of the petitioner, 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 first respondent herein to consider the petitioner's representation dated 17.02.2020, pursuant to the earlier representation dated 18.06.2019, 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. The petitioner is also directed to submit a copy of the representations along with 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.

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

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Revenue Divisional Officer(in-Charge)
cum The District Manager,
Tamil Nadu Hosing Development Corporation Ltd.,
Aruppukottai Division,
Virudhunagar District.

2.The District Revenue Officer,
O/o.District Revenue Office,
Virudhunagar District,
Virudhunagar.

+1 CC to M/s.D.FARJANA GHOSHIA, Advocate (SR-8472[F] dated
26/02/2020)

Order made in
W.P. (MD) No.3932 of 2020
26.02.2020

KK/11.03.2020/ 2P- 4C

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