



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.22445 of 2019 and
WMP(MD) No.19226 of 2019

S.Lakshmipriya

: Petitioner

Vs

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai - 4.

2. The Deputy Inspector General of Police,
Dindigul Range,
Dindigul,
Dindigul District.

3. The Superintendent of Police,
Theni,
Theni District.

4. The Inspector of Police,
Thevaram Police Station,
Thevaram,
Thevaram Post,
Uthamapalayam Taluk,
Theni District.

: 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 relating to the impugned order in C.No.A4/17391/2010 dated 22.05.2019 issued by the first respondent and quash the same as illegal and consequently to direct the first respondent to consider the petitioner for appointment on compassionate ground to any entry level post, within the time stipulated by this Court.

For Petitioner : Mr.K.Ponnaiah for
M/s.Ajmal Associates

For Respondents : Mr.M.Jeyakumar
Additional Government Pleader



O R D E R

This Writ Petition has been filed to call for the records relating to the impugned order in C.No.A4/17391/2010 dated 22.05.2019, issued by the first respondent and quash the same as illegal, and consequently to direct the first respondent to consider the petitioner's representation, for appointment on compassionate ground to any entry level post, within the time stipulated by this Court.

2. Though the petitioner has sought for appointment on compassionate ground, 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 appropriate to approach this Court. Further, it is pertinent to note that the petitioner has already got favourable order from this Court vide W.P(MD) No.4390 of 2019 dated 26.02.2019 and irrespective of the same, the authorities concerned have not taken any effective steps so far.

3. The petitioner would submit that she has already made representation on 13.06.2019 in this regard, which is said to be pending. If the said representation 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, 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 respondents concerned to consider the petitioner's representation, dated 13.06.2019, 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 her representation and it is for the respondents to consider it in accordance with law.



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W.P.(MD) No.22445 of 2019

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

To

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai - 4.
2. The Deputy Inspector General of Police,
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Dindigul,
Dindigul District.
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+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-9433[F] dated 02/03/2020)

+1 CC to SPL.GP (SR-9603[F] dated 02/03/2020)

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28.02.2020

MK (17.03.2020) 3P 7C