

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 29.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.10773 OF 2021

K.Jayakumar

...Petitioner

Vs

1. The District Collector,
Kallakurichi District,
Kallakurichi.

2. The District Revenue Officer,
Kallakurichi District,
Kallakurichi.

3. The Revenue Divisional Officer,
Thirukovilur,
Kallakurichi District.

4. The Tahsildar,
Thirukovilur Taluk,
Kallakurichi District.

...Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the fourth respondent to regularize my service as Village Assistant of Thimmachur Village, Thirukovilur Taluk, Kallakurichi District based on the recommendation of the Village Administration Officer, Thimmachur Village, Thirukovilur Taluk from the year 2010 by considering the representation dated 14.12.2020.

For Petitioner : Mr.R.Jayaprakash

For Respondents: Mr.Karthikeyan, AGP

O R D E R

By consent of both the parties, this writ petition is taken up for final disposal.

2. Since the petitioner's request to the respondents to regularize the petitioner's service as Village Assistant of Thimmachur Village, Thirukovilur Taluk, Kallakurichi District, was not considered, the present writ petition has been filed. According to the petitioner, he has made a representation in this regard on 14.12.2020, which is still pending.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, 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. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, it would be appropriate to direct the fourth respondent herein to consider the petitioner's representation dated 14.12.2020 within a stipulated time and thereby, the ends of justice could be secured. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the fourth respondent to consider the petitioner's representation dated 14.12.2020 on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sbn/hvk

To

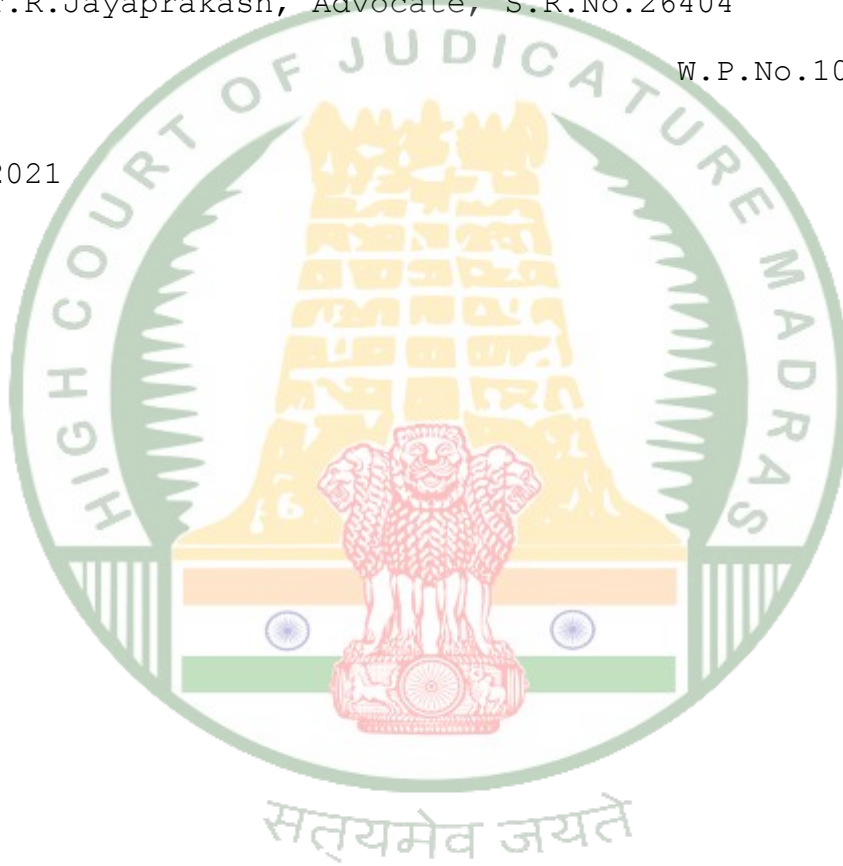
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Kallakurichi District.

+1cc to Mr.R.Jayaprakash, Advocate, S.R.No.26404

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SVI (CO)
CS/23/06/2021



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