



IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 23.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19664 of 2020

K. Mahendran

...Petitioner

Vs

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2.The Block Development Officer,
Kaveripattinam
Krishnagiri District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.09.2020 for appointment of the petitioner on compassionate grounds which arises on account of death of Rajamani, W/o.Kaveri who was working as cook in Government High School, Jegadab Krishnagiri District, within the stipulated time.

For Petitioner : Mr.R. Bharath Kumar

For Respondents : Mr.K. Tippu Sultan
Government Advocate

O R D E R

Since the petitioner's request for his appointment on compassionate grounds which arises on account of death of Rajamani, W/o.Kaveri who was working as cook in Government High School, Jegadab Krishnagiri District, was not considered, the present writ petition has been filed. According to the petitioner, he has made a representation in this regard on 21.09.2020, which is still pending.

2. 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.

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3. In the light of the above observations, it would be appropriate to direct the first respondent herein to consider the petitioner's representation dated 21.09.2020 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.

4. Accordingly, there shall be a direction to the first respondent to consider the petitioner's representation dated 21.09.2020 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.

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

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

gv

To

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2.The Block Development Officer,
Kaveripattinam
Krishnagiri District.

+1cc to Mr.R.Bharath Kumar, Advocate Sr.No.35537

+1cc to the Government Pleader, Advocate Sr.No.35632

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VG-II (CO)

RVM(18/08/2021)