



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 15.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.22132 of 2019

V.Saraswathy

... Petitioner

Vs

1. The Director of Public Health and
Preventive Medicine,
DMS Campus, Teynampet,
Chennai-600 006.

2.The Secretary to Government,
Health and Family Welfare Department,
St.Fort George,
Chennai-600 009.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the representation dated 12.10.2015 made by the petitioner to the first respondent.

For Petitioner : Mr.V.Manisekaran

For Respondents : Mr.K.Tippu Sulthan,
Government Advocate

ORDER

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 grant the benefits and concessions, which was granted to her junior, was not considered, the present writ petition has been filed. According to the petitioner, she has made representations in this regard on 12.10.2015 and 10.12.2018, which are still pending.

3. It is needless to point out that whenever representations of this nature are 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 respondents herein to consider the petitioner's representations dated 12.10.2015 and 10.12.2018 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 respondents to consider the petitioner's representations dated 12.10.2015 and 10.12.2018 on its own merits and pass appropriate orders in accordance with law, within a period of two weeks 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(CS III)

//True Copy//

Sub Assistant Registrar

hvk

To

1. The Director of Public Health and Preventive Medicine,
DMS Campus, Teynampet,
Chennai-600 006.
2. The Secretary to Government,
Health and Family Welfare Department,
St. Fort George, Chennai-600 009.

+1cc to Mr.V.Manisekaran, Advocate SR.No.33447

W.P.No.22132 of 2019

VSN-II(CO)
CT(30.07.2021)