



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 23.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19938 of 2020

S. Maharani

...Petitioner

Vs

- 1.The Secretary,
Government of Tamil Nadu,
Adi Dravidar Welfare Department,
Secretariat,
Fort St. George,
Chennai - 600 009.
- 2.The Commissioner and Director,
Adi Dravidar Welfare Department,
State Head Quarters, Chepauk,
Chennai - 600 009.
- 3.The Director,
Directorate of Scheduled Tribe Welfare Department,
Chepauk,
Chennai - 600 005.
- 4.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
- 5.The District Adi Dravidar Welfare Officer,
Thiruvannamalai District.
- 6.The District Planning Officer,
Scheduled Tribe Welfare Department,
Thiruvannamalai.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to consider the petitioner for the employment in Government Service as cook in the hostels run and managed by the Adidraavidar and Tribal Welfare Department on compassionate grounds based on petitioner's representations to the respondents and to consider the petitioner application dated 27.11.2020 to the 5th respondent on merits.



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For Petitioner : Mr.P.Anbalagan
For Respondents : Mr.K. Tippu Sultan
Government Advocate

O R D E R

Since the petitioner's request for the employment in Government Service as cook in the hostels run and managed by the Adidraavidar and Tribal Welfare Department on compassionate grounds was not considered, the present writ petition has been filed. According to the petitioner, she has made an application in this regard on 27.11.2020 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.

3. In the light of the above observations, it would be appropriate to direct the third respondent herein to consider the petitioner's application dated 27.11.2020 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 third respondent to consider the petitioner's application dated 27.11.2020 on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks 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 Secretary,
Government of Tamil Nadu,
Adi Dravidar Welfare Department,
Secretariat,
Fort St. George,
Chennai - 600 009.
- 2.The Commissioner and Director,
Adi Dravidar Welfare Department,
State Head Quarters, Chepauk,
Chennai - 600 009.
- 3.The Director,
Directorate of Scheduled Tribe Welfare Department,
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- 4.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
- 5.The District Adi Dravidar Welfare Officer,
Thiruvannamalai District.
- 6.The District Planning Officer,
Scheduled Tribe Welfare Department,
Thiruvannamalai.

+1cc to Mr.P.Anbalagan, Advocate Sr.No.35477

+1cc to the Government Pleader, Sr.No.35633

W.P.No.19938 of 2020

VG-II(CO)
RVM(18/08/2021)