



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.28401 of 2017

A.Mehboob Bhasha

...Petitioner

Vs.

1.The District Collector
Krishnagiri District
Krishnagiri.

2.The Tahsildar
Taluk Office
Dhenkanikottai Taluk
Krishnagiri District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to consider and pass orders on the application dated 12.12.1997 submitted by the petitioner within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For Respondents: Mr.K.Tippu Sulthan
Government Advocate

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 father died while in service, his request to consider him under Compassionate grounds, was not considered, the present writ petition has been filed. According to the petitioner, he has made a representation in this regard on 12.12.1997, 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 first respondent herein to consider the petitioner's representation dated 12.12.1997 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 first respondent to consider the petitioner's representation dated 12.12.1997 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 (CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector
Krishnagiri District
Krishnagiri.

2.The Tahsildar
Taluk Office
Dhenkanikottai Taluk
Krishnagiri District.

+1cc to Mr.K.Govi Ganesan, Advocate, S.R.No. 34769

W.P.No.28401 of 2017

GSM(CO)
GN(16/08/2021)