



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.01.2021

CORAM:

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.602 of 2021

M. Balamurugan

...Petitioner

Vs

1. The Principal Secretary to Government,
Department of Youth Welfare and Sports Development,
Secretariat,
St. George Fort,
Chennai-600 009.
 2. The Principal Secretary to Government,
Welfare of Differently Abled Department,
Secretariat, St. George Fort,
Chennai-600 009.
 3. The Member Secretary,
Sports Development Authority of Tamilnadu,
EVR Salai, Nehru Park,
Chennai, Tamilnadu.
 4. The State Commissioner,
Welfare of Differently Abled Persons,
Commissionerate for the Welfare of Differently Abled Persons,
Jawaharlal Nehru Inner Ring Road,
KK Nagar,
Chennai, Tamilnadu-600078.
 5. The District Collector,
Madurai District Collectorate,
Madurai, Tamilnadu-625002.
- ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 5 to consider the petitioner's representation dated 12.12.2020 for giving appropriate Government Job to him as a Differently Abled Sportsman, within a stipulated time.

For Petitioner	: Mr. P. Murughadasan
For R-1, R-2,	
R-4 and R-5	: Mr. M. Muniyasamy
	Additional Government Pleader
For R-3	: Mr. Priyan Tamil

O R D E R

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



2. Since the petitioner's request to the respondents to give appropriate Government Job to him as a Differently Abled Sportsman was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 12.12.2020, which is still pending.

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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 fifth respondent herein to consider the petitioner's representation dated 12.12.2020, within a stipulated time and thereby the ends of justice could be secured.

5. Accordingly, there shall be a direction to the fifth respondent to consider the petitioner's representation dated 12.12.2020, 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 (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

- 1.The Principal Secretary to Government,
Department of Youth Welfare and Sports Development,
Secretariat,
St.George Fort,
Chennai-600 009.
- 2.The Principal Secretary to Government,
Welfare of Differently Abled Department,
Secretariat, St.George Fort,
Chennai-600 009.
- 3.The State Commissioner,
Welfare of Differently Abled Persons,
Commissionerate for the Welfare of Differently Abled Persons,
Jawaharlal Nehru Inner Ring Road,
KK Nagar,
Chennai, Tamilnadu-600078.
- 4.The District Collector,
Madurai District Collectorate,
Madurai,
Tamilnadu-625002.

+1 CC to M/s.SPL GP (SR-1398[F] dated 20/01/2021)

+2 CC to M/s.P.MURUGHADASAN, Advocate (SR-1307[F] dated
20/01/2021)

W.P. (MD) No.602 of 2021
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SVN(CO)
KB(02.02.2021) 3P 8C