



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2021

CORAM:

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.1084 of 2021

and W.M.P. (MD) .No.939 & 940 of 2021

S.Glady Leethiyal

...Petitioner

Vs.

1.The State of Tamil Nadu,

Rep. by its

Additional Chief Secretary to Government,

Rural Development and Panchayat Raj Department,

Secretariat, Chennai - 9.

2.The Director,

Rural Development and Panchayat Raj Department,

Panagal Building, Saidapet,

Chennai - 15.

3.The District Collector,

Cuddalore District,

Cuddalore.

4.The District Collector,

Thiruchirappalli District,

Thiruchirappalli.

5.The District Employment Exchange,

Cuddalore District, Cuddalore.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to consider the case of the petitioner for appointment to the post of overseer by giving priority and age relaxation as extended in G.O.(Ms).No.96, Rural Development and Panchayat Raj (E3) Department, dated 06.06.2008, based on the petitioner's representation dated 17.12.2020, within the time limit that may be stipulated by this Court.

For Petitioner : Mr.S.Wilson

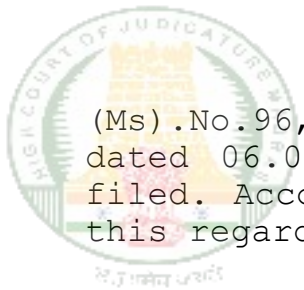
For Respondents : Mr.P.Mahendran

Additional Government Pleader

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 consider the case of the petitioner for appointment to the post of overseer by giving priority and age relaxation as extended in G.O.



(Ms).No.96, Rural Development and Panchayat Raj (E3) Department, dated 06.06.2008, was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 17.12.2020, 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 respondents herein to consider the petitioner's representation dated 17.12.2020, within a stipulated time and thereby the ends of justice could be secured.

5. Accordingly, there shall be a direction to the respondents to consider the petitioner's representation dated 17.12.2020, on its own merits and pass appropriate orders in accordance with law, within a period of eight 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. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (crl.side)

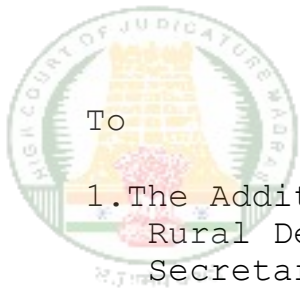
// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TM

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 Additional Chief Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai - 9.

2.The Director, Rural Development and Panchayat Raj Department,
Panagal Building, Saidapet, Chennai - 15.

3.The District Collector, Cuddalore District, Cuddalore.

4.The District Collector, Thiruchirappalli District,
Thiruchirappalli.

5.The District Employment Officer, District Employment Exchange,
Cuddalore District, Cuddalore.

+1 CC to M/s.S.WILSON, Advocate (SR-1780[F] dated 22/01/2021)

+1 CC to M/s.SPL GP (SR-2010[F] dated 25/01/2021)

W.P. (MD) No.1084 of 2021
22.01.2021

ES (CO)
KB (09.02.2021) 3P 8C