



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.2330 of 2021

K.Murali

... Petitioner

Vs

1.The District Collector,
Office of the District Collector,
Pudukkottai District.

2.The District Employment Officer,
District Employee Office,
Pudukkottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent herein to sponsor the petitioner's name under the preference category of a member of the family, which has lost the land in acquisition, for any suitable post by considering the petitioner's Educational qualification to the first respondent Office on the basis of the petitioner's representation dated 11.01.2021 and as per G.O(Ms) No.188, Personnel and Administration Reforms (PER-P) Department dated 28.12.1976 and for other reliefs.

For Petitioner : Mr.J.Lawrance

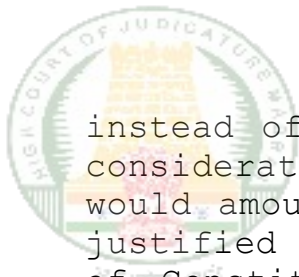
For Respondents : Mr.P.Kannithevan,
Additional Government Pleader

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 sponsor his name under the preference category of a member of the family, which has lost the land in acquisition, for any suitable post by considering his Educational qualification to the first respondent Office was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 11.01.2021, 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 second respondent herein to consider the petitioner's representation dated 11.01.2021, 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 view 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 second respondent to consider the petitioner's representation dated 11.01.2021, 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(CRL SIDE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

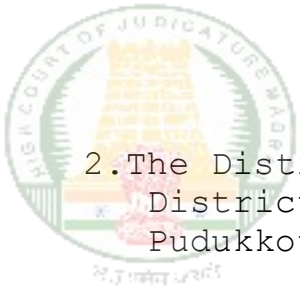
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NOTE :

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 District Collector,
Office of the District Collector,
Pudukkottai District.



2.The District Employment Officer,
District Employee Office,
Pudukkottai.

+1 CC to M/s.J.LAWRENCE, Advocate (SR-4440[F] dated 11/02/2021)

+1 CC to M/s.SPL GP (SR-4684[F] dated 12/02/2021)

Order made in
W.P. (MD) No.2330 of 2021

SV2 (CO)

TR(26.02.2021) 3P 5C