



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.3505 of 2021

M.Sasikala

...Petitioner

Vs.

1.The Chairman cum Managing Director,
The Oriental Insurance Company Ltd.,
Head Office, A-25/27, Asaf Ali Road,
New Delhi-100 002.

2.The Regional Manager,
The Oriental Insurance Company Ltd.,
Regional Office,
May flower building,
2nd Floor No.72,
Dr.Balasundaram Road, A.T.T.Colony,
Coimbatore-641 018.

3.The Senior Divisional Manger,
The Oriental Insurance Company Ltd.,
Divisional Officer,
No.4, Bharathi Thasan Road,
Contonment, Trichy-620 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to conclude the process of settling the monetary compensation in lieu of compassionate ground appointment to legal heirs in view of the third respondent letter dated 12.02.2020 to the second respondent within the stipulated time as prescribed by this Court.

For Petitioner : Mr.C.Masilamani

O R D E R

In view of the limited prayer sought for and since this Court is not adjudicating the emerge of the case, notice to the respondents is dispensed with.

2.Since the petitioner's request to the respondents to grant monetary compensation in lieu of compassionate appointment was not considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard, which is still pending.



3.It is needless to point out that whenever a representation/application 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 conclude the process of settling the monetary benefits pursuant to the petitioner's application, 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 respondents to conclude the proceedings pursuant to the petitioner's application for monetary benefits, as expeditiously as possible, in any event 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.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.



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