



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.5654 of 2021

Gangalakshmi

... Petitioner

Vs

The Assistant Director,
District Employment Office & Carrier Guidance Centre,
Madurai,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to include the priority details as Family Members of land acquired by Government based on the priority certificate issued by the Special Tahsildhar, Adi Dravidar Welfare, Usilampatti, dated 07.01.2008 in the identity card dated 01.09.2020 issued by the respondent in favour of the petitioner by considering the petitioner's representations dated 01.09.2020 and 14.09.2020.

For Petitioner : Mr.D.Sasikumar

For Respondent : 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 respondent to include the priority details as Family Members of land acquired by Government based on the priority certificate issued by the Special Tahsildhar, Adi Dravidar Welfare, Usilampatti, dated 07.01.2008, in the identity card dated 01.09.2020 issued by the respondent in favour of her was not considered, the Writ Petition has been filed. According to the petitioner, she has made the representations in this regard on 01.09.2020 and 14.09.2020, which are 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 exercising 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 respondent herein to consider the petitioner's representations dated 01.09.2020 and 14.09.2020, 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 respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the respondent to consider the petitioner's representations dated 01.09.2020 and 14.09.2020, 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(CS-I)

// 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

The Assistant Director,
District Employment Office & Carrier Guidance Centre,
Madurai,
Madurai District.

+1 CC to M/s.D.SASI KUMAR, Advocate (SR-11291[F] dated 16/03/2021)

Order made in

W.P. (MD) No.5654 of 2021

VR(CO)

TR(31.03.2021) 2P 3C