



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.6217 of 2021

Kalaiarasan

...Petitioner

Vs.

1.The Direct General of Police,
O/o. Director General of Police,
Chennai - 600 004.

2.The Superintendent of Police,
Trichy District,
Trichy.

3.The Superintendent of Police,
Prohibition Enforcement Wing,
Trichy District,
Trichy.

4.The Superintendent of Police,
O/o Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

5.The Superintendent of police,
Thiruvarur District,
Thiruvarur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 4th respondent to conclude his proceedings in Na.Ka.No.A4/4421/2004, with regard to the compassionate appointment of the petitioner by taking into consideration of the petitioner's eligibility, his family's poverty condition and petitioner's representation dated 15.02.2021 and consequently, to appoint the petitioner on companionate ground to any suitable post in the respondents department, within the time limit that may be stipulated by this Court.

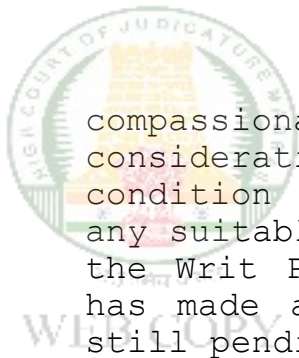
For Petitioner : Mr.M.S.Jeyakarthik

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 conclude his proceedings in Na.Ka.No.A4/4421/2004, with regard to the
<https://hcservices.ecourts.gov.in/hcservices/>



compassionate appointment of the petitioner by taking into consideration of the petitioner's eligibility, his family's poverty condition and to appoint the petitioner on companionate ground to any suitable post in the respondents department, was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 15.02.2021, 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 fourth respondent herein to consider the petitioner's representation dated 15.02.2021, 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 fourth respondent to consider the petitioner's representation dated 15.02.2021, on its own merits and pass appropriate orders in accordance with law, as expeditiously as possible.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// 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.



1.The Direct General of Police,
Chennai - 600 004.

2.The Superintendent of Police,
Trichy District, Trichy.

3.The Superintendent of Police,
Prohibition Enforcement Wing,
Trichy District,
Trichy.

4.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

5.The Suprintendent of police,
Thiruvarur District,
Thiruvarur.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-12661[F] dated
22/03/2021)

+1 CC to M/s.SPL GP (SR-12740[F] dated 22/03/2021)

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