



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 05.03.2021

CORAM

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P.(MD)No.558 of 2018

R.Kamala Mahalakshmi

: Petitioner

Vs.

1.The District Collector,  
Tirunelveli District, Tirunelveli.

2.The Commissioner,  
Sankarankovil Panchayat Union,  
Sankarankovil, Tirunelveli District.

: Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents to appoint the petitioner in any suitable post on the compassionate ground.

For Petitioner

:Mr.P.Subburaj

For Respondents

:Mr.P.Mahendran

Additional Government Pleader

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### ORDER

Since the petitioner's request to appoint her in any suitable post on compassionate ground, was not considered, the Writ Petition has been filed. According to the petitioner, she has made an application along with representation in this regard on 16.07.2017, which is still pending.

2.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.

3.In the light of the above observations, it would be appropriate to direct the respondents herein to consider the petitioner's application along with the representation dated



16.07.2017, 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.

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4. Accordingly, there shall be a direction to the respondents to consider the petitioner's application along with the representation dated 16.07.2017, on its own merits and pass appropriate orders in accordance with law and in the light of G.O.Ms.No.18, Labour and Employment (Q1) Department, dated 23.01.2020, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

cmr

To

1. The District Collector,  
Tirunelveli District, Tirunelveli.

2. The Commissioner,  
Sankarankovil Panchayat Union,  
Sankarankovil, Tirunelveli District.

+1 CC to M/s.P.SUBBARAJ, Advocate ( SR-9354[F] dated 08/03/2021 )

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05.03.2021

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PM(CO)

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