



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2022

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THE HONOURABLE MR. JUSTICE M.S.RAMESH

Writ Petition No.14095 of 2022
and
W.M.P.Nos.13325 and 13326 of 2022

- 1.G.Elayaraja
- 2.R.Vekadesan.
- 3.S.Angalammai.
- 4.K.Vedarathinam.
- 5.G.Abel Baskar.
- 6.Saraswathi
- 7.Kamatchi
- 8.Paramasivam
- 9.Meena
- 10.Sumathi
- 11.Manikandan
- 12.Y.Nazrin Banu
- 13.R.Karthikeyan
- 14.N.Kavitha
- 15.M.Latha
- 16.H.Ravichandran
- 17.Nova
- 18.John Davidson
- 19.Mageshwari



20. Prabhakaran

21. Ramnath

22. Srinivasan

.. Petitioners

Vs.

1. The Government of Tamil Nadu,
Rep.by its Principal Secretary,
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai 600 009,
Chennai.
2. The Member Secretary/Project Director,
Tamil Nadu Coastal Sustainable Livelihoods Society,
(Rural Development and Panchayat Raj Department)
TNCDW Ltd Building,
100, Anna Salai,
Guindy, Chennai 600 032.
3. The District Collector,
Chennai District.
4. The District Collector,
Mayladuthurai District.
5. The District Collector,
Nagapattinam District.
6. The District Collector,
Thiruvallur District.
Thiruvallur.
7. The District Collector,
Kadalur District,
Kadalur.
8. The District Collector,
Viluppuram District,
Viluppuram.
9. The District Collector,
Chengalpet,
Chengalpet District.
10. The District Collector,
Kancheepuram District.

.. Respondents



Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing respondents 1 and 2 to accommodate the petitioners by absorbing their service in other projects of the Government by considering the petitioner's representations dated 18.05.2022, 19.05.2022, 23.05.2022, 25.05.2022 & 26.05.2022 respectively within the time that may be stipulated by this Hon'ble Court in light of the order made by this Hon'ble Court in W.P.No.12887 of 2016 dated 22.04.2022 and consequently forbear the respondents from disengaging the petitioners till final determination on the petitioner's representation's.

For Petitioners : Mr.M.Joseph Thatheus Jerome
For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioners herein had given representations to the respondents dated 18.05.2022, 19.05.2022, 23.05.2022, 25.05.2022 and 26.05.2022 respectively to accommodate the petitioners by absorbing their service in other projects of the Government.

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, there shall be a direction to the respondents herein to consider the petitioners' representations dated 18.05.2022, 19.05.2022, 23.05.2022, 25.05.2022 and 26.05.2022 on its own merits and pass appropriate orders in accordance with law, after giving due opportunity of hearing to all the interested parties, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioners and



that it is open to the concerned respondents to consider the same on its own merits.

5. It is stated that the petitioners herein have been in continuous employment from the year 2009 onwards. Taking into account of this long service, the respondents shall not dispense with the petitioners' service till the disposal of the representation.

6. With the above direction, the Writ Petition stands disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

mk/nsa

To

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MT (CO)
UMA (17/06/2022)