



IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 20.01.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.33111 of 2017

R.Alexander

...Petitioner

Vs

1.The District Collector,
Cuddalore District, Cuddalore.

2.The Tahsildar,
Chidambaram Taluk,
Cuddalore District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to consider the representation of the petitioner dated 12.03.2011 and pass orders providing employment to the petitioner on compassionate ground and to disburse the terminal benefits of the petitioner's father and family pension.

For Petitioner : Mr.S.Anandakumar

For Respondents : Mr.C.Selvaraj,
Additional Government Pleader

ORDER

The petitioner herein had given a representation to the second respondent on 12.03.2011 seeking for compassionate appointment and disbursement of his late father's terminal benefits and family pension. Since the said representation was not considered, the present writ petition has been filed.

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.



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3. In the light of the above observations, it would be appropriate to direct the second respondent herein to consider the petitioner's representation dated 12.03.2011 within a stipulated time and thereby, the ends of justice could be secured.

4. Accordingly, there shall be a direction to the second respondent to consider the petitioner's representation 12.03.2011 on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) 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 made by the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

hvk

To

1.The District Collector,
Cuddalore District, Cuddalore.

2.The Tahsildar,
Chidambaram Taluk,
Cuddalore District.

+1cc to Mr.S.Anandakumar, Advocate SR. No.3285

+1cc to Government Pleader SR. No.4008

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MT (CO)

PR (07/02/2022)