



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) .No.11237 of 2022

Nallammal

... Petitioner

Vs.

1.The Secretary to Government,
Revenue and Disaster Management,
Chepauk, Chennai.

2.The District Collector,
Theni District, Theni.

3.The Managing Director,
Tamil Nadu State Marketing Corporation (TASMAC),
4th Floor, CMDA Tower - 2,
Egmore, Chennai.

4.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Plot No.100, Anna Nagar,
Madurai - 625 020.

...Respondents

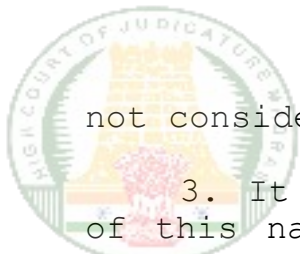
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to provide the relief amount to the petitioner for the petitioner's son namely Late Baskaran, he was worked as District Manager, TASMAC, Theni while he was on duty, who died due to the Corona Epidemic as per the G.O.Ms.No.403 (Revenue and Disaster Management Department) Disaster Management Wing, D.M.I (1) Section dated 05.08.2020, on the basis of the petitioner's representation dated 13.05.2022 within a time frame to be stipulated by this Court.

For Petitioner	:	Mr.P.Krishnasamy
For R-1 and R-2	:	Mrs.D.Farjana Ghoushia, Special Government Pleader.
For R-3 and R-4	:	Mr.B.Jameel Arasu, Standing Counsel.

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioner herein had given a representation to the respondents on 13.05.2022 seeking to provide the relief amount to the petitioner for the petitioner's son, who died due to corona epidemic, while he was on duty. Since the said representation was



not considered, the present Writ Petition has been filed.

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 second respondent herein to consider the petitioner's representation dated 13.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months 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 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. There shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Lm

To

1.The Secretary to Government,
Revenue and Disaster Management,
Chepauk, Chennai.

2.The District Collector,
Theni District, Theni.

+1 CC to M/s.SPL GP (SR-25435[F] dated 13/06/2022)

+1 CC to M/s.P. KRISHNASAMY, Advocate (SR-25667[F] dated 14/06/2022)

W.P. (MD) .No.11237 of 2022
10.06.2022

RD(22.06.2022) 2P 5C

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