



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2022

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) .No.11719 of 2022

SP.Palaniappan

... Petitioner

Vs.

1.The Indian Overseas Bank,
Through its General Manager,
Central Office,
Anna Salai,
Chennai - 600002.

2.The Branch Manager,
Indian Overseas Bank,
Kadiyapatti - Ramachandrapuram Branch,
Pudukottai District.

...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 herein to appoint the petitioner on compassionate grounds to any suitable post to which petitioner is eligible in the respondent Bank pursuant to the death of his father Late M.Subbiah Chettiar an employee of the respondent Bank.

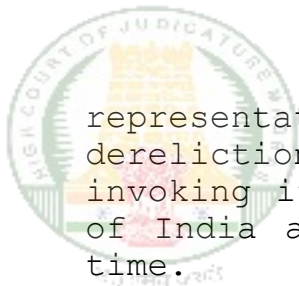
For Petitioner	:	Mr.VR.Shanmuganathan
For Respondents	:	Mr.N.Dilip Kumar, Standing Counsel.

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 31.03.2022 seeking for compassionate appointment. 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.

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4. In the light of the above observations, there shall be a direction to the petitioner to give a fresh representation to the respondents, though he has made a representation, dated 31.03.2022, seeking for compassionate appointment. On receipt of such representation, the respondents herein are directed to consider the same, 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 fresh representation. It is made clear that this Court has not expressed any of its views with regard to the claim of the petitioner to have given an application for compassionate appointment nor his entitlement for the same and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Lm

To

1.The General Manager,
The Indian Overseas Bank,
Central Office,
Anna Salai,
Chennai - 600002.

2.The Branch Manager,
Indian Overseas Bank,
Kadiyapatti - Ramachandrapuram Branch,
Pudukottai District.

+1 CC to M/s.N. DILIPKUMAR, Advocate (SR-26268[F] dated
16/06/2022)

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MGJ(28.06.2022) 2P 4C