



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.12431 of 2022

V.Paulpandian

... Petitioner

Vs.

1. The Director,
Directorate of Family Welfare,
DMS Building,
Anna Salai,
Thenampettai,
Chennai - 600 006.

2. The Joint Director of Medical and Rural Health Services,
Rural and Family Welfare,
Collectorate Building,
Virudhunagar District.

3. The Secretary,
Family Welfare,
Virudhunagar District.

4. The Joint Director,
The Employment Exchange,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 02.04.2022 and forward the petitioner name for physical fitness test to the Medical Board attached with the second respondent for the appointment for the post of Driver in the office of the second respondent.

For Petitioner	:	Mr.P.Bhaskar
For Respondents	:	Mr.M.Siddharthan
		Additional Government Pleader

O R D E R

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 first respondent on 02.04.2022 seeking for appointment to the post of Driver. Since the said representation was not considered, the present Writ Petition has been filed.

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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 02.04.2022 on its own merits and pass appropriate orders in accordance with law, 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 petitioner 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. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Vji

To

1. The Director,
Directorate of Family Welfare,
DMS Building,
Anna Salai,
Thenampettai,
Chennai - 600 006.

2. The Joint Director of Medical and Rural Health Services,
Rural and Family Welfare,
Collectorate Building,
Virudhunagar District.



3. The Secretary,
Family Welfare,
Virudhunagar District.

4. The Joint Director,
The Employment Exchange,
Virudhunagar District.

+1 CC to M/s.P. BHASKAR, Advocate (SR-26907[F] dated 20/06/2022)

+1 CC to M/s.SPL.GP. (SR-27453[F] dated 22/06/2022)

W.P. (MD) No.12431 of 2022
20.06.2022

MA (CO)
KB (29.06.2022) 3P 7C