



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.06.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE M. S. RAMESH**

W.P. (MD) No. 12690 of 2022

A. Illayaraja

... Petitioner

/vs./

1. The Commissioner of Municipal Administration,
Santhome,
Chennai - 28.

2. The Commissioner,
Kumbakonam Municipality,
Kumbakonam,
Thanjavur District.

3. The Regional Director,
Municipal Administration,
No. 1, Aya Nadar Road,
Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to approve the proposal of the third respondent made in Na.Ka.No.382/2020/A1 dated 06.03.2020 for grant of compassionate appointment made in favour of the petitioner.

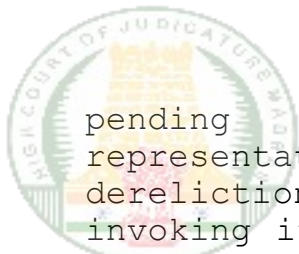
For Petitioner	:	Mr. R. Murali
For Respondents 1&3	:	Mr. M. Siddharthan Additional Government Pleader
For Respondent No. 2	:	Mr. M. Rajarajan Standing Counsel

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 in March, 2017 seeking for compassionate appointment to the petitioner. 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 first respondent herein to consider the petitioner's representation given in March, 2017, in the light of the second respondent's proposal dated 04.12.2018, 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, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

To

1. The Commissioner of Municipal Administration,
Santhome,
Chennai - 28.

2. The Commissioner,
Kumbakonam Municipality,
Kumbakonam,
Thanjavur District.

3. The Regional Director,
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No.1, Aya Nadar Road,
Thanjavur.

+1 CC to M/s.R. MURALI, Advocate (SR-27644[F] dated 23/06/2022)
+1 CC to M/s.M. RAJARAJAN, Advocate (SR-27853[F] dated 23/06/2022)
+1 CC to M/s.SPL.GP (SR-27971[F] dated 24/06/2022)

W.P. (MD) No.12690 of 202222.06.2022

MGJ(01.07.2022) 2P 7C

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