



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.06.2022**

CORAM:

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

W.P. (MD)No.12810 of 2022

WEB COPY

Amirthavalli

... Petitioner

/vs./

1.The Chief Secretary to Government,
Department of Highways and Minor Ports,
Secretariat, Chennai - 9.

2.The Chief Engineer (Highways),
Construction and Maintenance,
Integrated Engineers HRS Complex,
Guindy, Chennai.

3.The Superintending Engineer (Highways),
Construction and Maintenance,
Alagarkovil Road,
Madurai.

4.The Divisional Engineer (Highways),
Construction and Maintenance,
Travelers Bungalow Complex,
Dindigul Road, Palani,
Dindigul District.

... Respondents

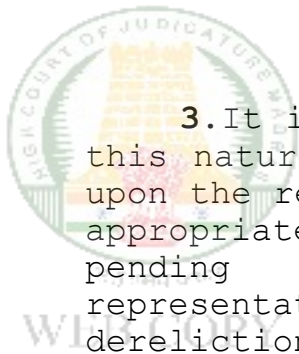
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider petitioner case for compassionate appointment by considering the petitioner's representations dated 30.12.2010, 09.12.2019 & 17.05.2022.

For Petitioner	:	Mr.T.Lenin Kumar
For Respondents	:	Mr.M.Siddharthan Additional Government Pleader

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2.The petitioner herein had given representations to the respondents on 30.12.2010, 09.12.2019, 10.05.2022 & 17.05.2022. 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.

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 09.12.2019 and 10.05.2022 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, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

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/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Chief Secretary to Government,
Department of Highways and Minor Ports,
Secretariat, Chennai - 9.
- 2.The Chief Engineer (Highways),
Construction and Maintenance,
Integrated Engineers HRS Complex,
Guindy, Chennai.
- 3.The Superintending Engineer (Highways),
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Alagarkovil Road, Madurai.



4.The Divisional Engineer (Highways),
Construction and Maintenance,
Travelers Bungalow Complex,
Dindigul Road, Palani,
Dindigul District.

+1 CC to M/s.T. LENIN KUMAR, Advocate (SR-27621[F] dated 23/06/2022)

+1 CC to M/s.SPL.GP (SR-27972[F] dated 24/06/2022)

Order made in
W.P.(MD) No.12810 of 2022
Dated:22.06.2022

SG(CO)
GC(29.06.2022) 3P 7C