



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2022

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.13029 of 2022

J.Suganya

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Block Development Officer, (Village Panchayat),
Madurai East Panchayat Union,
Madurai.

3.The President,
Chinnamaangulam Village Panchayat,
Madurai District.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the 1st respondent to consider the claim of the petitioner for compassionate appointment on account of death of her brother Late Nagarajan, who died in harness as Panchayat Secretary on 02.04.2022, in any one of the suitable post by considering her application dated 07.05.2022.

For Petitioner : Mr.R.Pon Karthikeyan

For Respondents : Mr.M.Siddharthan for R1

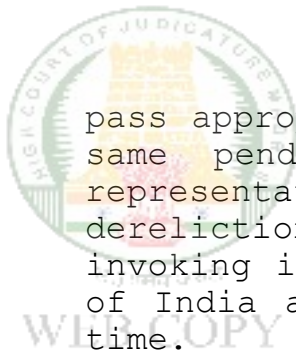
Additional Government Pleader

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 respondents on 07.05.2022 seeking to consider the claim of the petitioner for compassionate appointment on account of death of her brother Late Nagarajan, who died in harness as Panchayat Secretary on 02.04.2022, in any one of the suitable post. 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 first respondent herein to consider the petitioner's representation dated 07.05.2022 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 (Protocol)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

To

1.The District Collector,
Madurai District.

+1 CC to M/s.R. PON KARTHIKEYAN, Advocate (SR-27818[F] dated 23/06/2022)

+1 CC to M/s.SPL.GP (SR-28197[F] dated 27/06/2022)

W.P. (MD) No.13029 of 2022

23.06.2022

MGJ(07.07.2022) 2P 4C