



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2022

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WEB COPY

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.13329 of 2022

M.Ajitha Kumari

... Petitioner

Vs.

1.The District Collector,
Nagercoil,
Kanniyakumari District.

2.Malayadi Village Panchayat,
Rep. by its President,
Kanniyakumari District.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to grant employment to the petitioner on compassionate grounds considering her family's indigent circumstances caused due to the sudden and untimely demise of her father Mr. C.Mani, while in the service of the 2nd respondent in the light of her representation dated 04.08.2021, requesting appointment.

For Petitioner : Mr.N.Dilip Kumar
For Respondents : Mr.M.Siddharthan for R1
Additional Government Pleader

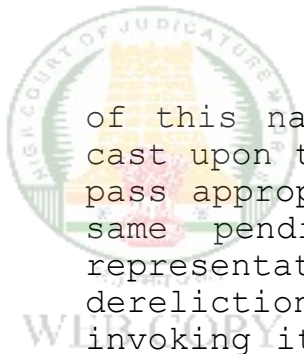
Mr.K.Balasubramani for R2
Special Government Pleader

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 04.08.2021 seeking for employment to her on compassionate grounds considering her family's indigent circumstances caused due to the sudden and untimely demise of her father Mr.C.Mani, while in the service of the 2nd respondent. 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
<https://hcservices.ecourts.gov.in/hcservices/>



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 04.08.2021 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)

TM

To

1.The District Collector,
Nagercoil,
Kanniyakumari District.

2. The President,
Malayadi Village Panchayat,
Kanniyakumari District.

+1 CC to M/s.N. DILIP KUMAR, Advocate (SR-28634[F] dated 28/06/2022)

+1 CC to M/s.SPL.GP (SR-28721[F] dated 29/06/2022)

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RD(06.07.2022) 2P 5C