



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) .No.13159 of 2022

S.Pugalendi

... Petitioner

Vs.

1.The Principal Secretary /
The Agriculture Production Commissioner,
Secretariat,
Fort St.George,
Chennai - 600 009.

2.The Chief Executive Officer,
State Level Nodal Agency,
Tamil Nadu Watershed Development Agency,
TANCOF Building No.55,
Thiru Vi.Ka. Industrial Estate,
Ekkattuthangal,
Chennai - 600 032.

3.The District Collector/Chairman,
District Watershed Development Agency,
Joint Director of Agriculture Office,
Collectorate Campus,
Ramanathapuram District - 623 503.

4.The Project Officer/Joint Director of Agriculture,
District Watershed Development Agency,
Joint Director of Agriculture Office,
Collectorate Campus,
Joint Director of Agriculture Office,
Ramanathapuram District - 623 503.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner for the post of Watershed Development Team Member (Engineer) in the upcoming new Project under District Watershed Development Agency, Ramanathapuram District based on the education and experience qualification of the petitioner by considering the representation dated 09.06.2022 within the time stipulated by this Court.



For Petitioner : Mr.I.Pinaygash
For Respondents : Mr.G.Suriyananth,
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 a representation to the respondents on 09.06.2022 seeking for appointment to the post of Watershed Development Team Member (Engineer) in the upcoming new project under District Watershed Development Agency, Ramanathapuram District. 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 third and fourth respondents herein to consider the petitioner's representation dated 09.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) 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. There shall be no order as to costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/07/2022

Sub Assistant Registrar (CS)

lm/btr



To

1.The Principal Secretary /
The Agriculture Production Commissioner,
Secretariat,
Fort St.George,
Chennai - 600 009.

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+1 CC to M/s.I. PINAYGASH, Advocate (SR-27947[F] dated 24/06/2022)

+1 CC to M/s.SPL.GP (SR-28199[F] dated 27/06/2022)

W.P. (MD) .No.13159 of 2022
24.06.2022

MGJ(07.07.2022) 3P 7C