



W.P.(MD).No.13955 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.13955 of 2022

Shanmugakani

... Petitioner

Vs.

1.The District Collector,
Thoothukudi,
Thoothukudi District.

2.The Block Development Officer,
Udankudi Panchayat Union,
Thoothukudi District.

3.Manapad Panchayat,
Represented by its President,
Manaparai,
Thoothukudi District.

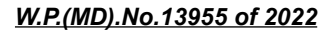
...Respondents

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 reinstate the petitioner in the post of Pump Operator with the arrears of salary.

For Petitioner : Mr.R.J.Karthick

For R-1 : Mrs.D.Farjana Ghoushia,
Special Government Pleader.

For R-2 and R-3 : Mr.G.Sivaraja,
Government Advocate.



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 second and third respondents on 05.12.2021 seeking to reinstate her in the post of Pump Operator with the arrears of salary. 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 third respondent herein to consider the petitioner's representation dated 05.12.2021 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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.

01.07.2022

Index : Yes / No
Internet : Yes/ No
Lm/Vji

To

1.The District Collector,
Thoothukudi,
Thoothukudi District.

2.The Block Development Officer,
Udankudi Panchayat Union,
Thoothukudi District.

3.The President,
Manapad Panchayat,
Manaparai,
Thoothukudi District.



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M.S.RAMESH, J.

Lm/Vji

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