



W.P.(MD).No.13905 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.13905 of 2022

and

W.M.P.(MD).No.9897 of 2022

V.Eswari

... Petitioner

Vs.

1.The Director,
Integrated Child Welfare Project,
Ohuvathi,
Dharamani,
Chennai – 113.

2.The District Collector,
Madurai District.

3.The Project Officer,
Integrated Child Development Scheme,
Sedapatti Taluk,
Madurai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent through his proceedings in Se.Mu.Na.Ka.No.1059/A1/2021 dated 31.12.2021 and quash the same as illegal and consequently direct the second respondent to revoke the petitioner's suspension order and allow her to work in the Chinnakattalai Anganwadi Centre in Peraiyur Taluk, Madurai District.



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For Petitioner : Mr.S.Arivalagan
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. Though the petitioner herein had challenged the suspension order passed under Section 17e of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, the learned counsel for the petitioner submitted that he would be satisfied, if the representation made by the petitioner on 06.06.2022 to the second respondent herein, seeking for revocation of the suspension order, is considered within a stipulated time.

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



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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 submission made by the learned counsel for the petitioner, there shall be a direction to the second respondent herein to consider the petitioner's representation, dated 06.06.2022, on its own merits and pass appropriate orders in accordance with law, within a period of one (1) week 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. Consequently, connected miscellaneous petition stands closed.

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



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To

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M.S.RAMESH, J.

Lm/Vji

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