



W.P.(MD) No.14776 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.14776 of 2022
and W.M.P.(MD).Nos.10563, 10564 & 10567 of 2022

Bharathi

... Petitioner

Vs.

**1.The District Collector,
Theni District, Theni.**

**2.The Child Development Planning Officer,
Theni (Rural)
Theni District.**

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, to call for the entire records, in relating to the impugned suspension order Se.Mu.Na.Ka.No.558/A1/2022, dated 19.04.2022, passed by the 1st respondent and to quash the same and consequently, to direct the 1st respondent to reinstate the petitioner into her service with all service and monetary benefits by considering the petitioner's representations, dated 02.05.2022 and 22.06.2022, within the time limit that may be stipulated by this Court.

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For Petitioner : Mr.M.S.Jeyakarthik
For Respondents : Mr.A.Sivanu Pandian
Government Advocate

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. Though the petitioner has sought for issuance of a writ of Certiorarified Mandamus, quashing the impugned suspension order passed by the 1st respondent in Se.Mu.Na.Ka.No.558/A1/2022, dated 19.04.2022, the learned counsel for the petitioner would submit that he would be satisfied if the representations, dated 02.05.2022 and 22.06.2022, given by the petitioner, are directed to be considered by the respondents 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



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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 representations dated 02.05.2022 and 22.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) 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. No costs. Consequently, connected miscellaneous petitions are closed.

18.07.2022

Index : Yes / No
Speaking Order/ Non Speaking Order
TM

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Theni District,
Theni.
- 2.The Child Development Planning Officer,
Theni (Rural)
Theni District.



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M.S.RAMESH,J.

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