



WP(MD)No.15937 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.07.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.15937 of 2022
and
W.M.P(MD)No.11503 of 2022

Kasupandiammal

... Petitioner

/vs./

- 1.The District Collector,
Office of the Collectorate,
Madurai.
- 2.The Director of Integrated Child Welfare Department,
Pammal Nallathambi Street,
Periyar Nagar,
Tharamani,
Chennai-113.
- 3.The Integrated Child Welfare Department,
District Child Protection Officer,
Collectorate,
Madurai.
- 4.The Child Welfare Program Officer,
Thirumangalam,
Madurai District-625 706.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the first respondent in Se.Mu.Na.Ka.No.584/A1/2022, dated 01.04.2022 and quash the same as illegal and consequently directing the first respondent herein to reinstate the petitioner in the post of Anganvadi Paniyalar at the fourth respondent office with all monetary benefits.

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondents : Mr.R.Ragavendran
Government Advocate

ORDER

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

2. Though the prayer sought for in this writ petition is larger in nature, the learned Counsel for the petitioner confines the prayer to consider the petitioner's representation dated 09.05.2022. The learned Government Advocate appearing for the respondents has also no serious objection for the same.



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WEB COPY 3. The petitioner herein had given a representation to the first respondent on 09.05.2022 seeking for revocation of the suspension. Since the said representation was not considered, the present writ petition has been filed.

4. 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.

5. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 09.05.2022 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



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merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

22.07.2022

Index : Yes / No
Internet : Yes / No
btr/lm

To

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M.S.RAMESH, J.

btr/lm

4.The Child Welfare Program Officer,
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Madurai District-625 706.

Order made in
W.P.(MD)No.15937 of 2022

Dated:
22.07.2022