



WP(MD)No.16176 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.07.2022**

CORAM:

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

W.P.(MD)No.16176 of 2022

P.Kumar

... Petitioner

/vs./

The Executive Officer,
Alangulam Selection Grade Town Panchayat,
Tirunelveli District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent herein to re-instate the petitioner into service as Sweeper in the light of the order passed in WA(MD) No. 1467 and 1468 of 2015 dated 23.09.2016.

For Petitioner : Mr.M.Rajarajan

For Respondent : Mr.D.S.Nedunchezian

ORDER

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



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2.The petitioner herein had given a representation to the respondent on 30.06.2022 seeking for reinstatement of the petitioner into service, as Sweeper, in the light of the order passed in WA(MD)Nos.1467 and 1468 of 2015 dated 23.09.2016. 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 respondent herein to consider the petitioner's representation dated 30.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period



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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.

25.07.2022

Index : Yes / No
Internet : Yes / No
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TO:

The Executive Officer,
Alangulam Selection Grade Town Panchayat,
Tirunelveli District.



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M.S.RAMESH, J.

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Order made in
W.P.(MD)No.16176 of 2022

Dated:
25.07.2022