



W.P.(MD) No.16666 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.16666 of 2022

Prakash

... Petitioner

Vs.

1.The Principal Chief Engineer,
Water Resources Department, Chepakkam,
Chennai 600 005.

2.The Chief Engineer,
Water Resources Department, Trichy Zone,
Trichy.

3.The Supervising Engineer,
Water Resources Department,
Keelkaveri Drinage Circle,
Near Santhapillai Gate,
Thanjavur.

4.The Executive Engineer,
Water Resources Department,
Vennaru Drainage Division, Thanjavur.

5.The Assistant Executive Engineer,
Water Resources Department,
Vennaru Drainage Sub-Division,
Thanjavur.

... Respondents



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PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, to direct the respondents herein to include the Petitioner's name in the list of NMR's / Daily Rated Labours Entitled for Wages at the Minimum Pay Scale and provide him Job opportunity as per the G.O.(MS).No.233, dated 06.12.2019, by considering the petitioner's representation, dated 25.06.2022, in accordance with law, within the time stipulated by this Court.

For Petitioner : Mr.D.Balamurugapandi

For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

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 respondents on 25.06.2022 seeking to include the Petitioner's name in the list of NMR's / Daily Rated Labours entitled for Wages at the Minimum Pay Scale and provide him Job opportunity as per the G.O.(MS).No.233, dated 06.12.2019. Since the said representation was not considered, the present writ petition has



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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 first respondent herein to consider the petitioner's representation dated 25.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three **(3)** months 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.



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5. With the above direction, the Writ Petition stands disposed of. No costs.

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Index : Yes / No
Speaking Order/ Non Speaking Order

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To

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M.S.RAMESH,J.

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