



WP(MD)No.16490 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.07.2022**

CORAM:

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

W.P.(MD)No.16490 of 2022

Yamuna

... Petitioner

/vs./

- 1.The Principal Secretary to Government of Tamil Nadu,
Department of Cooperation, Food & Consumer Protection Department,
Secretariat,
Chennai – 600 009.
- 2.The Registrar of Cooperative Societies,
No.170, N.V.Natarajan Maligai,
Periyar EVR High Road,
Poonamalle High Road,
Kilpauk,
Chennai – 600 010.
- 3.The District Collector,
Sivagangai District,
Sivagangai.
- 4.The Joint Registrar,
Primary Agricultural Cooperative Societies,
Sivagangai Zone,
Sivagangai.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's application dated 23.05.2022 and appoint the petitioner in suitable job under the compassionate appointment.

For Petitioner : Mr.T.Veerakumar
For Respondents : Mr.P.Thilak Kumar
Government Pleader
assisted by
Mr.M.Ramesh
Government Advocate

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 23.05.2022 seeking for her appointment in a suitable job on the ground of compassionate appointment. Since the said representation was not considered, the present writ petition has been filed.



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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 third respondent herein to consider the petitioner's representation dated 23.05.2022 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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WEB COPY 5. With the above direction, the Writ Petition stands disposed of. No costs.

27.07.2022

Index : Yes / No

Internet : Yes / No

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TO:

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M.S.RAMESH, J.

Sm

Order made in
W.P.(MD)No.16490 of 2022

Dated:
27.07.2022