



W.P.(MD) No.17072 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.17072 of 2022

Ravinraj

... Petitioner

Vs.

1.The Commissioner of Town Panchayat,
Town Panchayat Commissionerate Office,
Town Administration Office Compound,
Kuralagam, Chennai – 28.

2.The District Collector,
Kanyakumari District,
at Nagercoil.

3.The Assistant Director of Panchayat,
Collectorate Office,
Nagercoil,
Kanniyakumari District.

4.The Executive Officer,
Mandaicadu Town Panchayat,
Mandaicadu and Post,
Kanniyakumari District.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to
issue a writ of Mandamus, directing the respondents 3 and 4 to forward the



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petitioner's name to the 1st respondent for regularization of his Eleven years of contract driver service based on the circular in Na.Ka.No.7336/2021, dated 13.07.2021 of the 1st respondent considering the petitioner's representation, dated 19.04.2022.

For Petitioner : Mr.A.Rajkumar Sen

For Respondents : Mr.R.Ragavendran for R1 to R3
Government Advocate

Mr.M.Sarangan for R4
Additional 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 19.04.2022 seeking for regularization of his Eleven years of contract driver service based on the circular in Na.Ka.No.7336/2021, dated 13.07.2021 of the 1st respondent. 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 first respondent herein to consider the petitioner's representation dated 19.04.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve **(12)** 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.



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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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M.S.RAMESH,J.

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