



W.P.(MD).No.17753 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.17753 of 2022

T.Prem Kumar

... Petitioner

Vs.

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Commissioner,
Ilayangudi Panchayat Union,
Sivagangai,
Sivagangai District.

3.The Block Development Officer,
Ilayangudi Panchayat Union,
Sivagangai,
Sivagangai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to provide employment on compassionate ground to the petitioner in any entry level post by taking into account of his indigent circumstances and in terms of order made in W.P.(MD).No.12263 of 2022 dated 17.06.2022 and by considering the petitioner representation dated 08.07.2022 within the period that may be stipulated by this Court.



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For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates
For Respondents : Mr.G.Suriyananth,
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 first and second respondents on 08.07.2022 seeking for employment on compassionate grounds. 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.



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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 08.07.2022, 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.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

08.08.2022

Index : Yes / No
Internet : Yes/ No
Lm/sji

To

- 1.The District Collector,
Sivagangai,
Sivagangai District.
- 2.The Commissioner,
Ilayangudi Panchayat Union,
Sivagangai, Sivagangai District.
- 3.The Block Development Officer,
Ilayangudi Panchayat Union,
Sivagangai,
Sivagangai District.



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M.S.RAMESH, J.

Lm/sji

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