



WP(MD)No.18557 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.08.2022

CORAM:

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

W.P.(MD)No.18557 of 2022

J.Annalakshmi

... Petitioner

/vs./

1.The Director,
Directorate of Public Health and Preventive Medicine,
Chennai-6.

2.The Deputy Director of Health Services,
Department of Public Health and Preventive Medicine,
Sankarankovil, Tenkasi District.

3.The Block Medical Officer,
Government Primary Health Centre,
Chockampatti, Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents to regularize the petitioner's service from 2011 as Scavenger as per the G.O.Ms.No.385(Finance) (Salary) dated 01.10.2010 and fix the time scale of pay Rs.1300-300+Rs.3000/- to her.

For Petitioner : Mr.T.Indrachithu

For Respondents : Mrs.D.Farjana Ghoushia

Special Government Pleader



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ORDER

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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 21.04.2021 seeking for regularization of her service from 2011. 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 first respondent herein to consider the petitioner's representation dated 21.04.2021 on its own merits and pass appropriate orders in accordance with law, within a period



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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.

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

16.08.2022

Index : Yes / No

Internet : Yes / No

Rmk

To

- 1.The Director,
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Chennai-6.
- 2.The Deputy Director of Health Services,
Department of Public Health and Preventive Medicine,
Sankarankovil, Tenkasi District.
- 3.The Block Medical Officer,
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M.S.RAMESH, J.

Rmk

Order made in
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