



WP(MD)No.19004 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.08.2022**

CORAM:

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

W.P.(MD)No.19004 of 2022

Mariya Jeba

... Petitioner

/vs./

- 1.The Commissioner,
Social Welfare Department,
No.300, Purasaiwakkam High Road,
Chennai 600 010.
- 2.The District Collector,
Tenkasi, Tenkasi District.
- 3.The District Project Officer,
Office of the District Project,
Integrated Child Development Project Scheme,
Tenkasi, Tenkasi District.
- 4.The Child Development Project Officer,
Integrated Child Development Project Scheme,
Kuruvikulam, Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents 1 to 4 to provide a suitable employment to the petitioner under the compassionate appointment



WP(MD)No.19004 of 2022

scheme by considering the petitioner's representation dated 24.01.2022 within a stipulated time.

For Petitioner : Mr.R.Karunanidhi
For Respondents : Mr.R.Ragavendran
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 24.01.2022 seeking for providing employment under compassionate appointment. 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



WP(MD)No.19004 of 2022

WEB COPY

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 second respondent herein to consider the petitioner's representation dated 24.01.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) 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.

22.08.2022

Index : Yes / No

Internet : Yes / No

Rmk



WEB COPY



WP(MD)No.19004 of 2022

M.S.RAMESH, J.

Rmk

To

- 1.The Commissioner,
Social Welfare Department,
No.300, Purasaiwakkam High Road,
Chennai 600 010.
- 2.The District Collector,
Tenkasi, Tenkasi District.
- 3.The District Project Officer,
Office of the District Project,
Integrated Child Development Project Scheme,
Tenkasi, Tenkasi District.
- 4.The Child Development Project Officer,
Integrated Child Development Project Scheme,
Kuruvikulam, Tenkasi District.

Order made in
W.P.(MD) No.19004 of 2022

Dated:
22.08.2022