



WP(MD)No.19806 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.08.2022**

CORAM:

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

W.P.(MD)No.19806 of 2022

R.Ramani

... Petitioner

/vs./

1.The Secretary to Government of Tamilnadu,
Social Welfare and Nutritious Department,
Secretariat, Fort.St.George,
Chennai 600 009.

2.The District Collector,
Virudhunagar District,
Virudhuangar.

3.The Project Officer,
Child Development Department,
Virudhunagar District.

4.Block Development Officer,
Kariapatti Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents to take appropriate action based on the petitioner's representation dated 24.06.2022 as per G.O.Ms.No. 92/S/09 issued by Tamil Nadu Government and G.O.Ms.No.163, Social Welfare



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Nutritious meal programme department dated 18.04.2010 and transfer the petitioner to the school in proximity areas to her residence.

For Petitioner : Mr.V.Kishore Kumar

For Respondents : Mr.M.Siddharthan

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 24.06.2022 seeking for transfer of the petitioner to the school in proximity areas to her residence, as per G.O.Ms.No.163, Social Welfare Nutritious meal programme department, dated 18.04.2010. 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



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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 respondents 2 and 3 herein, to consider the petitioner's representation dated 24.06.2022, on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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.

26.08.2022

Index : Yes / No

Internet : Yes / No

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M.S.RAMESH, J.

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Order made in
W.P.(MD)No.19806 of 2022

Dated:
26.08.2022