



WP(MD)No.19589 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.08.2022

CORAM:

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

W.P.(MD)No.19589 of 2022

Tamilaga Panjalai Tholilalar Sangam (affiliated to BMS)
Branch at the Kanyakumari District Co-operative
Spinning Mill Ltd., Aralvaimozhi,
Kanyakumari District 629 301.
rep., by its General Secretary
Esakkiyappan

... Petitioner

/vs./

1.The Deputy Chief Inspector of Factories
and Authority under Tamil Nadu
Tamil Nadu Industrial Establishment
(Conferment of permanent status to workmen)
Tirunelveli.

2.The Managing Director,
The Kanyakumari District Co-operative
Spinning Mill Ltd.,
Post Bag No.1, Aralvaimozhi,
Kanyakumari District. 629 301.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 06.06.2022 in the light of the order made in F/1678/2010 passed by the first respondent dated 03.11.2012.



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For Petitioner : Mr.N.S.Ramakrishna Dass
For Respondents : Mr.P.Thilak Kumar
Government Pleader assisted by
Mr.M.Ramesh
Government Advocate (For R1)
Mr.K.Hemakarthiskeyan (for R2)

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 27.06.2022 seeking to regularisation of service of daily wage employees. 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



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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 06.06.2022 on its own merits and pass appropriate orders in accordance with law, as expeditiously as possible. 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.

25.08.2022

Index : Yes / No
Internet : Yes / No
Rmk



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M.S.RAMESH, J.

Rmk

Order made in
W.P.(MD) No.19589 of 2022

25.08.2022