



W.P.(MD) No.20246 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.20246 of 2022

S.Senthil Kumar

... Petitioner

Vs.

**1.The Director of Town Panchayats,
Kuralagam, Chennai-600 108.**

**2.The District Collector,
Theni District.**

**3.The Assistant Director of
Town Panchayat,
Theni Region, Collectorate,
Theni District.**

**4.The Executive Officer,
Kuchanur Town Panchayat,
Theni District.**

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents herein to forthwith regularize the petitioner herein as Date Entry Operator in the fourth respondent Town Panchayat pending consideration by the first respondent as



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per the proposals sent by the third respondent and consequently direct the respondents herein to pay the salary payable to the petitioner from as Data Entry Operator and arrears of salary from July 2021 to safeguard the livelihood of the petitioner and his family with two minor female children.

For Petitioner : Mr.K.Appadurai
For R1 to R3 : Mr.R.Ragavendran
Government Advocate
For R4 : Mrs.D.Farjan Ghowshia
Special 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 13.07.2021 and 06.09.2021 seeking to regularize his service as Date Entry Operator in the fourth respondent Town Panchayat pending consideration by the first respondent as per the proposals sent by the third respondent and to



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pay the salary payable to him and also arrears of salary from July 2021. 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 respondents herein to consider the petitioner's representations dated 13.07.2021 and 06.09.2021 on its own merits and pass appropriate orders in accordance with law, within a period of twelve **(12)** weeks from the date of receipt of a copy of this order. It is made clear that this Court has not



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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.

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Index : Yes / No
Speaking Order/ Non Speaking Order

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To

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4.The Executive Officer,
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M.S.RAMESH,J.

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