



WP(MD)No.20550 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.09.2022**

CORAM:

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

W.P.(MD)No.20550 of 2022

M.Selvi

... Petitioner

/vs./

1.The District Collector,
Madurai,
Madurai District – 625 020.

2.The Assistant Director of Town Panchayats,
Collector Office Complex,
Madurai – 625 020.

3.The Executive Officer,
Town Panchayat Office,
Paravai Post,
Madurai North Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st respondent to pass appropriate orders on the representation of the petitioner dated 17.08.2019 regarding posting the petitioner either as Junior Assistant or Record Clerk or Office Assistant, considering the petitioner's educational qualification, within the period that may be stipulated by this Court.



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For Petitioner : Mr.K.Ponniah

For Respondents : Mr.G.Suriyananth

Additional Government Pleader (For R1 & R2)

Mr.Villavangothai

Additional Government Pleader (For R3)

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 17.08.2019 seeking for her posting either as Junior Assistant or Record Clerk or Office Assistant, considering the petitioner's educational qualification. 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-



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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 17.08.2019 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months 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.

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Index : Yes / No

Internet : Yes / No

Rmk/sm



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M.S.RAMESH, J.

Rmk/Sm

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Order made in
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