



W.P.No.7289 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2023

CORAM:

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

**W.P.No.7289 of 2023**  
**and WMP No.7346 of 2023**

Pandiammal, S.,

...Petitioner

Vs

1. The Director,  
Social Welfare and Women Empowerment Department,  
Chennai-600 015.
  2. The District Social Welfare Officer,  
Thiruvallur District.
  3. The District Collector,  
Thiruvallur District
  4. Government of Tamil Nadu,  
represented by its Principal Secretary,  
Social Welfare and Womens' Empowerment Department,  
Namakkal Kavingnar Maligai,  
State Head Quarters, Secretariat,  
Chennai-600 001.  
(Impleaded as per order dated 25.04.2023  
made in WMP No.10895 of 2023)
- ...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India



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to issue a Writ of Mandamus directing the fourth respondent to dispose of the representation dated 03.04.2023 after granting the petitioner a personal hearing and within a stipulated time frame.

(Prayer amended as per order dated 09.06.2023 made in WMP No.12817 of 2023).

For Petitioner : Mr.P.V.S.Giridhar  
Senior Counsel for  
Mr.K.G.Krishnaraj

For Respondents : Mr.P.Baladhandayutham  
Spl.Government Pleader

### **ORDER**

The petitioner herein has given a representation to the first respondent on 03.04.2023 seeking for a direction to reinstate her in service. Since the said representation was not considered, the present writ petition has been filed.

2. 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



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invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

3 .In the light of the above observations, there shall be a direction to the fourth respondent herein to consider the petitioner's representation dated 03.04.2023 on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner including granting her the opportunity of personal hearing. 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 fourth respondent to consider the same on its own merits.

4. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index:Yes/No  
Speaking order/Non-speaking order  
sr

**M.S.RAMESH,J.,**



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WEB COPY

sr

To

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