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W.P.No.5409 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.5409 of 2023

Mr.A. Sundararaj

... Petitioner

Vs.

The Commissioner,
Coimbatore City Municipal Corporation,
Big Bazaar Street,
Coimbatore – 641 001.

... Respondent

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider the representation given by the petitioner dated 29.12.2022.

For Petitioner : Mr.C. Deepak Kumar

For Respondent : Mr.Najeeb Usman Khan,
Standing Counsel

ORDER

With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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2. The petitioner herein had given representations to the respondent on 29.04.2019, 20.02.2020 and 29.12.2022, seeking to get a job opportunity on compassionate ground. Since the said representations were 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 the 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 respondent herein, to consider the petitioner's representation dated 29.12.2022, on its own merits and pass appropriate orders in accordance



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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 respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

23.02.2023

Speaking/Non-speaking Order

Internet: Yes/No

Index: Yes/No

Neutral Citation: Yes/No

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To

The Commissioner,
Coimbatore City Municipal Corporation,
Big Bazaar Street,
Coimbatore – 641 001.



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M.S.RAMESH, J.

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