



WEB COPY



W.P.No.6383 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.6383 of 2023

C. Manoj Kumar

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of Animal Husbandry Dairying & Fisheries,
Fort St. George,
Chennai – 600 009.

2.The Director of Animal Husbandry
and Veterinary Services,
No.571, Anna Salai,
Nandanam, Chennai – 35.

3.The Director of the Institute of Veterinary,
Preventive Medicine (IVPM),
Walaja Taluk,
Ranipet,
Ranipet District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 2 & 3 to consider the petitioner's representation dated 13.08.2021 for



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issuance of employment to him under the ground compassionate in respect of his deceased father M. Chandrasekaran, who was serviced as Lab Assistant in 3rd respondent's office.

For Petitioner : Mr.G. Somasekar

For Respondents : Mr.D. Ravichander,
Special Government Pleader

ORDER

Mr.D. Ravichander, learned Special Government Pleader, takes notice for the respondents. With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given representation on 13.08.2021 to the respondents, seeking for issuance of employment on compassionate ground in respect of his deceased father. Since the said representation was not considered, the present Writ Petition has been filed.



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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 observation, there shall be a direction to the second and third respondents herein, to consider the petitioner's representation dated 13.08.2021, 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.



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M.S.RAMESH, J.

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5. With the above direction, the Writ Petition stands ordered. No costs.

01.03.2023

Speaking/Non-speaking Order

Internet: Yes/No

Index: Yes/No

Neutral Citation: Yes/No

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To

- 1.The Secretary to State of Tamil Nadu,
Department of Animal Husbandry Dairying & Fisheries,
Fort St. George, Chennai – 600 009.
- 2.The Director of Animal Husbandry
and Veterinary Services,
No.571, Anna Salai,
Nandanam, Chennai – 35.
- 3.The Director of the Institute of Veterinary,
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