



WEB COPY



W.P.No.17145 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.17145 of 2023

D.Kavitha

... Petitioner

Vs

The Superintendent of Police,
District Police Office,
Nagapattinam.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's mother's representation dated 10.04.2023 regarding compassionate appointment to the petitioner on merits and in accordance with law within a time frame.

For Petitioner : M/s.G.Bala and Daisy

For Respondent : Mr.P.Baladhandayutham,
Special Government Pleader

ORDER

Heard M/s.G.Bala and Daisy, learned counsel for the petitioner and Mr.P.Baladhandayutham, learned Special Government Pleader for the respondent.

2.The petitioner herein had given a representation to the



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respondents on 10.04.2023 for compassionate appointment. 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 him 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 10.04.2023, 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.



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5.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.

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

No costs.

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Index:Yes/No

Speaking order/Non-speaking order
vga

To

The Superintendent of Police,
District Police Office,
Nagapattinam.



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M.S.RAMESH,J.

vga

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