



WEB COPY



W.P.No.18648 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18648 of 2023

Anbuselvi

...Petitioner

Vs

1.The District Collector,
Cuddalore, Cuddalore District.

2.The Revenue Divisional Officer,
Cuddalore, Cuddalore District.

3.The Thasildar,
Thittakudi Thasildar Office,
Thittakudi, Cuddalore District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to appoint the petitioner on compassionate ground for the suitable post based on the applications of the petitioner dated 28.07.2022 and 23.08.2022.

For Petitioner : Mr.SP.Yuaraj

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



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ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioner herein had given applications to the respondents on 28.07.2022 and 23.08.2022 seeking compassionate appointment. The said applications have not been considered till date. Hence, the petitioner has approached this Court by way of this Writ Petition.

3. It is needless to point out that whenever an application of this nature is made to a Statutory Authority, there is a duty cast upon them 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 application 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 the 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



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to the first respondent herein to consider the petitioner's applications dated 28.07.2022 and 23.08.2022, on its own merits and pass appropriate orders in accordance with law, within a period of three 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 made by 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.

26.06.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

hvk

To

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