



WEB COPY



W.P.No.19082 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19082 of 2023

P. Lakshmi Devi

... Petitioner

Vs.

1.The Chairman cum Managing Director,
NLC India Ltd.,
Neyveli – 607 801.

2.Chief Managers,
NLC India Ltd.,
Neyveli – 607 801.

3.General Manager,
SMD Zone,
Neyveli – 607 801.

4.Deputy General Manager/Civil,
SMD Zone/Mine-II,
Neyveli – 607 801.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 20.01.2020 and reminder representation dated 13.06.2023 for re-joining in the employment in the Afforestation Division in lines with Land Acquisition Scheme.



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For Petitioner : Mr.Ali Hassan Khan

For Respondents : Mr.N. Nithianandam

ORDER

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

2. The petitioner herein has given representation to the fourth respondent on 20.01.2020, seeking for re-joining in the employment in the Afforestation Division in lines with Land Acquisition Scheme. She has further given a reminder dated 13.06.2023 to her representation. Since the said representation and the reminder 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 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



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Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of 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 respondents herein, to consider the petitioner's representation dated 20.01.2020, on its own merits and pass appropriate orders in accordance with law, within a period of six (6) weeks 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.

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

28.06.2023

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Chairman cum Managing Director,
NLC India Ltd.,
Neyveli – 607 801.
- 2.Chief Managers,
NLC India Ltd.,
Neyveli – 607 801.
- 3.General Manager,
SMD Zone,
Neyveli – 607 801.
- 4.Deputy General Manager/Civil,
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