



W.P.No.22707 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.22707 of 2022

T.Srinivasan
S/o.Thangaraj

...Petitioner

Vs

1. The Secretary to Government (Wel) -cum-
Chairperson
Government of Puducherry
Union Territory of Puducherry Child Protection Society
Selection Committee
No.1, Saradambal Nagar Main Road
Ellaipillaichavady
Puducherry - 605 005.
2. The Member Secretary
Government of Puducherry
Union Territory of Puducherry Child Protection Society
Selection Committee
No.1, Saradambal Nagar Main Road
Ellaipillaichavady
Puducherry - 605 005.
3. The Deputy Director (Admn.)
Department of Women and Child Development
Government of National Capital Territory of Delhi
No.1, PL Ravi Shankar Shukla Lane
K.G.Marg, New Delhi - 110 001.



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4. The Director
Directorate of Social Welfare Department
Saradhambal Nagar
Ellaipillaichavady
Puducherry - 605 005.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 4th respondent to consider the petitioner's representation dated 16.11.2020 and to select the post as Welfare Officer (on contract basis) in Welfare Department under Cadre Control of Directorate of Social Welfare, Puducherry.

For Petitioner : Mr.S.Vijayakumar
For Respondents : Mr.R.Sreedhar
Additional Government Pleader
for R1, R2 and R4

ORDER

The petitioner herein has given a representation to the respondents on 16.11.2020, seeking to select him for the post of Welfare Officer on contract basis in the Social Welfare Department, Puducherry. Since the said representation has not been considered till date, the present Writ Petition has been filed.

2. 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 them to consider the same on its own merits and pass appropriate orders in one



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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 Constitution of India and direct them to consider the same within a stipulated time.

3. In the light of the above observations, there shall be a direction to the fourth respondent herein, to consider the petitioner's representation dated 16.11.2020, 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. 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.

4. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

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Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes/No

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M.S.RAMESH,J.

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