



WEB COPY



W.P.No.29782 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.29782 of 2023

Mrs.T.Hema

...Petitioner

Vs

Director,
Sugarcane Breeding Institute,
Veerakeralam,
Coimbatore – 641 007.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the representation dated 24.04.2023 and provide petitioner with employment on compassionate ground in the respondent Institute.

For Petitioner : M/s.R.Navaneetha Krishnan



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ORDER

Heard the learned counsel for the petitioner.

2. In view of the order to be passed in this writ petition directing the respondent to consider the petitioner's representation, no prejudice would be caused to the respondent and hence, notice to the respondent is dispensed with.

3. The petitioner herein has given a representation to the respondent on 24.04.2023, seeking to provide an employment on compassionate ground as the legal heir of the deceased Thangaraj, who had served in the respondent Institute for thirty years. Since the said representation was not considered, the present Writ Petition has been filed.

4. It is needless to point out that whenever representation of this nature is made to a Statutory Authority, there is a duty cast on him to



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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 him to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 24.04.2023, 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 made by 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



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Speaking order/Non-speaking order
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M.S.RAMESH,J.

hvk

To

Director,
Sugarcane Breeding Institute,
Veerakeralam,
Coimbatore – 641 007.

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