



W.P.No.31585 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.31585 of 2023

G.Vanitha

...Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by Secretary to Government,
Adi Dravidar Welfare Department,
Secretariat, Chennai - 600 009.

2.The Director of
Adi Dravidar Welfare Department,
Chepauk, Chennai - 600 005.

3.The District ADW and Tribal Welfare Officer,
Adi Dravidar Welfare Department,
Krishnagiri, Krishnagiri District.

...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 09.06.2023 to regularize the service of the petitioner's husband from the date of his initial appointment dated 12.12.2015 with monetary benefits and all consequential benefits and arrears.



W.P.No.31585 of 2023

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For Petitioner : Mrs.S.Esairani Narasimman

For Respondents : Mr.P.Ganesan,
Government Advocate

ORDER

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

2. The petitioner herein had given a representation to the respondents on 09.06.2023, seeking for regularization of her husband's services from the date of his initial appointment together with arrears of pay and other consequential benefits. 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 on 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,



W.P.No.31585 of 2023

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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.

4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 09.06.2023 and pass appropriate orders in accordance with law, within a period of eight (8) 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 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.

03.11.2023

Index: Yes/No



W.P.No.31585 of 2023

Speaking order/Non-speaking order
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W.P.No.31585 of 2023

M.S.RAMESH,J.

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To

- 1.The Secretary to Government,
Adi Dravidar Welfare Department,
Secretariat, Chennai - 600 009.
- 2.The Director of
Adi Dravidar Welfare Department,
Chepauk, Chennai - 600 005.
- 3.The District ADW and Tribal Welfare Officer,
Adi Dravidar Welfare Department,
Krishnagiri, Krishnagiri District.

W.P.No.31585 of 2023

03.11.2023