



W.P.No.32256 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32256 of 2023

V. Kubendran

... Petitioner

Vs.

1.The District Collector cum Chairman for Karaikal Krish
Vigyan Kendra Society,
Office of the District Collector,
Karaikal.

2.The Member Secretary,
Karaikal Krish Vigyan Kendra Society,
Madur,
Karaikal – 609 607.

3.The Programme Coordinator,
Karaikal Krish Vigyan Kendra Society,
Madur,
Karaikal – 609 607.

4.The Principal,
Karaikal Krish Vigyan Kendra Society,
Madur,
Karaikal – 609 607.

... Respondents



W.P.No.32256 of 2023

WEB COPY

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 representation dated 13.04.2023 submitted by the petitioner for allotment of work to the post of Helper to Matter Specialist (SMS) cum Office Assistant (OA) as per Work Order vide Memorandum No.603/Ve.A.Ni./Karai/2017-18/296 dated 08.11.2017 issued by 3rd respondent for Full Time/Part Time Casual Labourers, in which the petitioner had been discharging duty previously as per Work Order dated 08.11.2017 issued by 3rd respondent, since the said post is still kept vacant and nobody is appointment after transferring the petitioner to Farmhouse on par with others as others are still discharging their duty as per Work Order dated 08.11.2017.

For Petitioner : Mr.Prakash Adiapadam

For Respondents : Mr.R. Sreedhar,
Additional Government Pleader
(Puducherry)



W.P.No.32256 of 2023

ORDER

WEB COPY

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 a representation to the respondents on 13.04.2023, seeking for allotment of work to the post of Helper to Matter Specialist (SMS) cum Office Assistant (OA) as per Work Order vide Memorandum No.603/Ve.A.Ni./Karai/2017-18/296 dated 08.11.2017 issued by the third respondent for Full Time/Part Time Casual Labourers. Since the said representation has not been considered till date, 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 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 representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in



W.P.No.32256 of 2023

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 13.04.2023, on their own merits 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 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.

10.11.2023

Index:Yes/No

Speaking order/Non-speaking order

Sni



W.P.No.32256 of 2023

WEB COPY

To

- 1.The District Collector cum Chairman for Karaikal Krish Vigyan Kendra Society,
Office of the District Collector,
Karaikal.
- 2.The Member Secretary,
Karaikal Krish Vigyan Kendra Society,
Madur,
Karaikal – 609 607.
- 3.The Programme Coordinator,
Karaikal Krish Vigyan Kendra Society,
Madur,
Karaikal – 609 607.
- 4.The Principal,
Karaikal Krish Vigyan Kendra Society,
Madur,
Karaikal – 609 607.



WEB COPY



W.P.No.32256 of 2023

M.S.RAMESH,J.

Sni

W.P.No.32256 of 2023

10.11.2023