



WEB COPY

W.P.No.34103 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.34103 of 2023

M.Sivarathinamma

... Petitioner

Vs.

1. The District Collector,
Krishnagiri District,
Tamil Nadu.

2. The District Project Officer,
Integrated Child Development Scheme (ICDS),
Denkanikottai Taluk,
Krishnagiri District, Tamil Nadu.

3. The Integrated Child Development Officer,
Thalli Block, Denkanikottai Taluk,
Krishnagiri District, Tamil Nadu.

... Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to consider the petitioner's representations dated 16.08.2023 and 28.08.2023.

For Petitioner

: M/s.D.Geetha

For Respondents

: Mr.P.Ganesan,
Government Advocate



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ORDER

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

2. The prayer sought for in this Writ Petition is for a direction to the respondents 1 and 2 to consider the representations dated 16.08.2023 and 28.08.2023 seeking transfer to the nearest Anganwadi Centre. Since the said representations were not considered, the petitioner has preferred the present Writ Petition.

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 invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the respondents 1 and 2 herein to consider the petitioner's representations dated 16.08.2023 and 28.08.2023, on its own merits and pass appropriate orders in accordance with law, within a period of four 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.

11.12.2023

Jeni

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order



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