



W.P.No.35815 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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Shailaja

... Petitioner

Vs.

1.The Commissioner,
Survey and Settlement Department,
PWD House, Chepauk, Chennai – 600 005.

2.The Director,
Survey and Land Records Department,
Chepauk, Chennai – 600 005.

3.The Assistant Director of Survey and Land Records,
Kancheepuram.

4.The District Collector,
Kancheepuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to consider the application of the petitioner dated 25.05.2014 for appointment on compassionate grounds and direct the respondents to call for the certificate and documents from the petitioner herein as required by the respondents, scrutinize.



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For Petitioner : Mr.M. Kempraj

For Respondents : Mr.V.P.R. Elamparathi,
Additional Government Pleader

ORDER

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

2. The petitioner herein has given an application to the respondents on 25.05.2014, seeking for an appointment on compassionate grounds. Since there is no progress in the said application till date, the present Writ Petition has been filed.

3. It is needless to point out that whenever an application 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 application by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in



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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 application dated 25.05.2014, on their own merits and 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 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.

22.12.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

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Chepauk, Chennai – 600 005.
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