



W.P.(MD).No.18222 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.18222 of 2023

K.Buveneswari

... Petitioner

Vs.

The Assistant Director,
District Land Survey and Records Department,
Dindigul Collectorate Campus,
Dindigul District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 03.07.2023 and give a job under compassionate ground within time stipulated by this Court.

For Petitioner : Mr.M.S.Senthil Kumar

For Respondent : Mr.N.Muthu Vijayan
Special Government Pleader

ORDER

The present writ petition has been filed seeking direction to the respondent to consider the petitioner's representation dated 03.07.2023 and give a job under compassionate ground within time stipulated by this Court.



W.P.(MD).No.18222 of 2023

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2. The petitioner's father, namely Kajendran was working as Field Assistant in the Land Survey Department under the control of the respondent. He died on 13.01.2007 during his service in the respondent office. He was survived by the petitioner and her mother. The petitioner was only 2 years old at the time of death of her father Kajendran. The petitioner's mother made an application on 26.03.2007 seeking compassionate appointment to the petitioner on attaining majority and also for the other terminal benefits whatsoever is applicable due to the death of the said Kajendran. Right now, the petitioner has completed 18 years and hence, she made a representation to the respondent on 20.04.2023 seeking compassionate appointment to the respondent. Since the same was not considered, another representation in the form of reminder was again sent by the petitioner to the respondent on 03.07.2023. The same was also of no avail. Hence, this writ petition came to be 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 the respondent 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 made by the Statutory Authority would



W.P.(MD).No.18222 of 2023

amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

4. This Court directs the respondent to consider the representation of the petitioner, dated 03.07.2023 in the light of G.O.Ms.No.33, Labour Welfare and Skill Development (Q1) Department, dated 08.03.2023. The said exercise shall be completed within a period of one (1) month from the date of receipt of a copy of this order.

5. In view of the above, this Writ Petition stands disposed of. No costs.

10.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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To

The Assistant Director,
District Land Survey and Records Department,
Dindigul Collectorate Campus,
Dindigul District.



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W.P.(MD).No.18222 of 2023

L.VICTORIA GOWRI, J.

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W.P.(MD).No.18222 of 2023

10.08.2023