



W.P.(MD).No.21553 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.21553 of 2023

P.Priya

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Registrar of Co-operative Societies,
Tamil Nadu,
Chennai.

3.The Joint Registrar of Co-operative Societies,
Ramanathapuram Division,
Ramanathapuram.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, directing the 1st and 2nd respondents to issue an appointment order and provide a job under Compassionate ground to the petitioner in any one of the Government Departments in Ramanathapuram District by consider the petitioner's application, dated 05.10.2018 within the time limit that may be fixed by this Court.



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W.P.(MD).No.21553 of 2018

For Petitioner : Mr.M.Karthikeya Venkitachalapathy

For Respondents : Mr.N.Muthuvijayan
Special Government Pleader

ORDER

The present writ petition has been filed seeking direction to the 1st and 2nd respondents to issue an appointment order and provide a job under Compassionate ground to the petitioner in any one of the Government Departments in Ramanathapuram District by consider the petitioner's application, dated 05.10.2018 within the time limit that may be fixed by this Court.

2. The petitioner's husband was employed as Co-operative Sub Registrar in Thiruvadanai under the jurisdiction of the 3rd respondent. While in service, he met with a road accident and he died on 04.03.2018. The petitioner made an application on 05.10.2018 seeking appointment on compassionate ground. The petitioner has approached the respondents many times to consider her request. While so, the 1st respondent vide communication, dated 21.08.2020 informed the 3rd respondent that the petitioner's name has been registered in the waiting list candidates for compassionate appointment in Rank No.107. Two years has



W.P.(MD).No.21553 of 2020

lapsed after the date of the said communication which was sent to the petitioner on 21.08.2020. Hence, the petitioner made an application on 16.02.2023 to the 3rd respondent seeking appointment on compassionate ground. Since the same was not considered, this writ petition came to be filed.

3. Heard the learned counsel on either side and perused the materials available on record.

4. 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 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.

5. Without going into the merits of the case, this Court directs the respondents 1 and 2 to consider the representations made by the petitioner on 05.10.2018 and 16.02.2023 in accordance with law. The said exercise shall be



W.P.(MD).No.21553 of 2022

completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands disposed of. No costs.

04.09.2023

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

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To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Registrar of Co-operative Societies,
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Chennai.
- 3.The Joint Registrar of Co-operative Societies,
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W.P.(MD).No.21553 of 2023

L.VICTORIA GOWRI, J.

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W.P.(MD).No.21553 of 2023

04.09.2023