



WP.(MD).No.2330 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.2330 of 2024

G.Venkatesh

... Petitioner

Vs.

The Inspector General of Registration,
Registration Department,
No.11, Santhome Highway,
Chennai – 600 028.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to appoint the petitioner on compassionate ground as per his education qualification of 12th standard on the basis of the petitioner's application dated 09.10.2021.

For Petitioner	: Mr.R.Rajaramman
For Respondent	: Mr.Senthil Ayyanar Government Advocate

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, seeking to direct the respondent to appoint the petitioner on compassionate ground as per his education qualification of 12th standard on the basis of the petitioner's



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application dated 09.10.2021.

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2.The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner's father Gururajan who served as a Junior Assistant in the Sub Registrar Office, Sindhupatti, Periyakulam Registration District, died on 21.01.2014 while in service. He was survived by his wife Vanitha, the petitioner and his sister Sandhya. The petitioner's sister made an application on 25.02.2016 before the respondent well within a period of three years from the date of death of employee seeking appointment on compassionate ground. However, the same was rejected on the ground that the petitioner's sister was a minor by that time. Immediately after attaining majority within a period of three years, the petitioner made an application with all relevant documents seeking appointment on compassionate grounds. The respondent office responded vide proceedings dated 03.05.2023, stating that the petitioner's application is pending consideration. However, final orders has not been passed so far. Hence, this Writ Petition came to be filed.



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3.Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents and carefully perused the entire 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.In view of the same, without going into merits of the case, this Court hereby direct the respondent to consider the petitioner's application dated 09.10.2021 and pass appropriate orders within a period of eight weeks from the date of receipt of copy of this order.



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6.In view of the above, this Writ Petition stands disposed of.

There shall be no order as to costs.

22.02.2024

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

To

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Registration Department,
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L.VICTORIA GOWRI, J.

Mrn

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