



W.P.(MD)No.5950 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.5950 of 2024

R.Thivakar

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The Block Development Officer,
(Village Panchayat),
Kadaladi Panchayath Union,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to appoint the petitioner on compassionate ground in accordance with G.O.MS.No.102, Rural Development and Panchayat Raj Department dated 13.07.2015 in any one of the post based upon the petitioner's qualification by considering the representation dated 23.01.2024.

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For Petitioner : Mr.C.Prithviraj
For Respondent : Mr.M.Lingadurai
Special Government Pleader

ORDER

The present writ petition has been filed seeking a Writ of Mandamus to direct the 1st respondent to consider the petitioner's representation dated 23.01.2024.

2. Heard Mr.C.Prithviraj, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader for the respondents.

3. The petitioner's father, who was working as a Panchayat Secretary at Keelasirupothu Village Panchayat Union had died on 26.11.2014 while he was in service. Hence, the petitioner's mother had given a representation to the respondents on 21.08.2017 seeking for compassionate appointment. The petitioner's mother had sent several reminders thereafter. After attaining majority the petitioner



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also sent a representation on 23.01.2024 for compassionate appointment as his family is in indigenous circumstances. So far the said representations were not considered by the respondents, hence, the present writ petition has been filed.

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 respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specific time frame.



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5. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 23.01.2024 on its own merits and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands **disposed of.** No costs.

12.06.2024

NCC : Yes/No

Index : Yes/No

PJL

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2.The Block Development Officer,
(Village Panchayat),
Kadaladi Panchayath Union,
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R.N.MANJULA, J.

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