



W.P.(MD).No.6037 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.6037 of 2024

Hari Siva Narayanan

... Petitioner

Vs

1. The Director General of Police,
Tamil Nadu Police Department,
No.1, Dr. Radakrishnan Salai,
Mylapore, Chennai 600 004.

2. The Superintendent of Police,
Dindigul District, Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to provide any suitable post on the basis of petitioner's representation, dated 04.10.2023 on compassionate grounds in the respondents department to the petitioner within stipulated time as fixed by this Court.

For Petitioner : Mr. S.Sarvagan Prabhu

For Respondents : Mr.S.Shaji Bino

Special Government Pleader



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ORDER

The present writ petition has been filed seeking a direction to the respondents to provide any suitable post to the petitioner under compassionate grounds in the respondents Department, on the basis of his representation, dated 04.10.2023, within the stipulated time fixed by this Court.

2.By consent of both parties, considering the limited relief sought for by the petitioner, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents. Perused the materials on record.

4.(i).The petitioner's father viz., Muneeswaran was serving as an Assistant (SP Office) in the Department of Police at Dindigul District. He was survived by the petitioner(son), his wife and daughter. The petitioner's mother made a representation, dated 04.07.2017 seeking appointment on compassionate grounds to any one of her children, after attaining the age of



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majority. In response, the first respondent on 17.10.2017 sent a communication to the second respondent to consider the representation of the petitioner's mother and communicate the same to her. However, till date the petitioner's mother has not received any communication from the respondents.

(ii).In the meanwhile, the petitioner attained the age of majority and sent a representation to the respondents on 04.09.2023 on the basis of communication issued by the first respondent seeking appointment on compassionate grounds. However, the same was not considered. Hence, this writ petition came to be filed.

5. 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. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct the respondents to consider the same within a stipulated time.



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6.Considering the limited scope of the relief sought for by the petitioner, without going into the merits of the case, this Court hereby direct the respondents to consider the representation of the petitioner, dated 04.09.2023 and pass appropriate orders in accordance with law, within a period of twelve (12) weeks, from the date of receipt of a copy of this order.

7.With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

13.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

1. The Director General of Police,
Tamil Nadu Police Department,
No.1, Dr. Radakrishnan Salai,
Mylapore, Chennai 600 004.

2. The Superintendent of Police,
Dindigul District, Dindigul.



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L.VICTORIA GOWRI, J.

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ORDER IN
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