



WP(MD)No.6524 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.6524 of 2024
and
WMP(MD)Nos.6103 & 6105 of 2024

G.Meenakshi Natha Pillai

... Petitioner

Vs.

1. South Zone Cultural Centre,
Thanjavur Rep. by its Director/Member Secretary
of Executive Board,
"Dakshini",
Medical College Road,
Thanjavur- 613 004.

2.Col. Raghunatham.R (Retd.,)
Enquiry Officer of SZCC,
No.5-257/1, North Kadavarayar Street,
Kallar Pasumpthikoil,
Thanjavur - 614 206.

3.S.Rajagopalan,
PUO and Presenting Officer,
South Zone Cultural Centre,
Thanjavur - 613 004.

... Respondents



WP(MD)No.6524 of 2024

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 24.02.2024 and to supply the documents requested in the petitioner's letters dated 01.01.2024 and 15.02.2024 (mentioned in Column Nos.4 and 5 of the appended Tabulation) and to grant 15 days time thereafter, to submit the final defence statement of the petitioner and to change the 3rd respondent-Presenting Officer and then to conduct the enquiry by the 2nd respondent in a fair manner within a time limit to be fixed by this Court.

For Petitioner : Mr.A.Thirumoorthy

For R1 : Mr.V.Malaiyandran

ORDER

The present writ petition has been filed seeking a direction to the 2nd respondent to consider the petitioner's representation dated 24.02.2024.



WP(MD)No.6524 of 2024

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2. Heard Mr.A.Thirumoorthy, learned counsel for the petitioner and Mr.V.Malaiyandran, learned counsel for the first respondent.

3. The petitioner has been working as a Senior Program Co-ordinator in the first respondent Society/South Zone Cultural Centre (SZCC), Thanjavur. The petitioner was issued with a charge memo dated 18.12.2023 without supplying any documents. Hence, he made a representation to the 1st respondent/disciplinary authority to furnish a list of documents, but the said documents are not furnished to him. If the respondents has to rely on the documents sought by the petitioner during the recovery proceedings the respondents have to furnish the copy of the said documents in compliance of the principle of natural justice. Since the said representation was not considered by the respondents so far, the present writ petition has been filed.



WP(MD)No.6524 of 2024

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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. 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 specified time frame.

6. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 24.02.2024 on its own merits and pass appropriate orders in accordance with law, within a period of three



WP(MD)No.6524 of 2024

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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.

7. With the above direction, the Writ Petition stands **disposed of**. No costs. Consequently, connected miscellaneous petitions are closed.

03.06.2024

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

To
The Director/Member Secretary of Executive Board,
South Zone Cultural Centre,
Thanjavur.



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WP(MD)No.6524 of 2024

R.N.MANJULA, J.

PJL

**Order made in
W.P.(MD)No.6524 of 2024**

03.06.2024