



WP.(MD).No.7407 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 25.03.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.7407 of 2024

Sivakami

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by Secretary to Government,
Rural Development and Panchayat Raj Department,
Fort St. George,
Chennai – 600 009.

2.The Director,
Rural Development and Panchayat Raj,
Panagal Building,
Chennai – 600 015.

3.The District Collector,
Dindigul,
Dindigul District.

4.The Block Development Officer (Village Panchayat),
Block Development Office,
Reddiyarchatram,
Dindigul District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to give suitable employment to the petitioner



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under compassionate appointment scheme by considering his application dated 09.01.2024.

For Petitioner : Mr.R.Karunanidhi
For Respondents 1 to 3 : Mr.C.Baskaran
Government Advocate
For Respondents 4 & 5 : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.This Writ Petition has been filed for issuance of a Writ of Mandamus, seeking to direct the respondents 1 to 5 to give suitable employment to the petitioner under compassionate appointment scheme by considering his application dated 09.01.2024.

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

The petitioner's husband one Arumugam who served as a Village Panchayat Secretary in the fifth respondent Village Panchayat office, passed away while in service on 07.12.2023. He was survived by the petitioner, his two sons and his mother.



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Thereafter, the petitioner has made an application seeking employment on compassionate ground on 09.01.2024. On receipt of the same, the fourth respondent has forwarded the petitioner's application to the third respondent along with all connected documents on 15.02.2024. However, the same was not considered. Hence, this Writ Petition came to be filed.

4. Heard the learned counsel appearing for the petitioner, the learned Government Advocates appearing for the respondents and carefully perused the entire materials available on record.

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 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.



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6.In view of the same, without going into merits of the case, this Court hereby direct the third respondent to consider the petitioner's representation dated 09.01.2024 and pass appropriate order in accordance with law within a period of eight weeks from the date of receipt of copy of this order.

7.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

25.03.2024

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



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To

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L.VICTORIA GOWRI, J.

Mrn

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