



W.P(MD)No.7659 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.7659 of 2024

C.Saroja

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Kanyakumari.

2.The District Project Director, DRDA,
District Rural Development Agency,
Kanyakumari District.

... Respondents

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 representation given by the petitioner, dated 06.02.2024 and regularize her service in time scale of pay.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.J.John Rajadurai
Government Advocate



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ORDER

The present writ petition has been filed seeking direction to the 2nd respondent to consider the representation given by the petitioner, dated 06.02.2024 and regularize her service in time scale of pay.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner is a differently abled person with 60% disability and she is a single woman, deserted by her husband with a female child. She had made an application to the Chief Minister Cell seeking Government job. Her application was forwarded to the 2nd respondent. On receipt of the same, the 2nd respondent vide proceedings, dated 17.01.2017 appointed her as Office Assistant in the office of the 2nd respondent. She was paid with a consolidated pay of Rs.3,000/- per month. However, her service has not been regularized. Without considering the petitioner's request for regularization, salary has been increased to Rs.25,000/-. In such circumstances, the petitioner made a detailed representation on 06.02.2024 seeking to regularize her service. Since the same was not considered, this writ petition came to be filed.



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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. Without going into the merits of the case, this Court hereby direct the 2nd respondent to consider the petitioner's representation, dated 06.02.2024 and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of copy of this order.

6. With the above said observations, this Writ Petition stands disposed of. No costs.

27.03.2024

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

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To

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Kanyakumari District,
Kanyakumari.
- 2.The District Project Director, DRDA,
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L.VICTORIA GOWRI, J.

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