



WP(MD) No.6980 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.6980 of 2023

A.Deepanraj

.. Petitioner

Vs.

1. The District Collector,
Ramanathapuram,
Ramanathapuram District.

2. The Director,
The Directorate of Medical and Rural Welfare,
Chennai-6.

3. The Joint Director,
Joint Director Office,
Joint Director of Welfare Service,
Ramanathapuram,
Ramanathapuram District.



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4. The Chief Doctor/Chief Medical Officer,
Government Hospital,
Panaikulam,
Ramanathapuram 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 respondents herein to give suitable job to petitioner on compassionate appointment in the light of the petitioner's last representation dated 11.03.2023.

For Petitioner : Mr.S.Muthukumar

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

The present writ petition has been filed seeking a Writ of Mandamus to direct the respondents to give suitable job to the petitioner on compassionate appointment in the light of the petitioner's representation dated 11.03.2023.



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2. Heard Mr.S.Muthukumar, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents.

3. The petitioner's mother, who was working as Pharmacist in Government Hospital at Panaikulam, Ramanathapuram District, had died on 09.10.2019 while she was in duty. Hence, the petitioner herein had given several representations to the respondents on various dates seeking for compassionate appointment. Since the said representations were not considered by the respondents so far, 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. As such, non-consideration



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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.

5. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 11.03.2023 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.



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R.N.MANJULA, J.

PJL

**Order made in
W.P.(MD)No.6980 of 2023**

**Dated:
06.06.2024**