



W.P.(MD)No.10067 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.10067 of 2024

M.A.Manoj Kumar

... Petitioner

vs.

1.The Managing Director,
Indian Bank,
Corporate Office,
254-260, Avvai Shanmugam Salai,
Royapettai, Chennai - 600 014.

2.General Manager,
Human Resources Management,
Indian Bank, Corporate office,
254-260, Avvai Shanmugam Salai,
Royapettai, Chennai – 600 014.

3.The Zonal Manager,
Zonal Office,
Indian Bank, Thirunelveli.

4.The Branch Manager,
Indian Bank, Alangaulam.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, to direct the respondents to provide



W.P.(MD)No.10067 of 2024

compassionate appointment to the petitioner.

WEB COPY

For Petitioner : Mr.T.S.Mohamed Mohideen

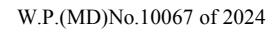
For Respondents : Mr.C.Karthik
Standing Counsel

ORDER

Heard Mr.T.S.Mohamed Mohideen, learned counsel appearing for the petitioner and Mr.C.Karthik, learned Standing Counsel appearing for the respondents.

2. The petitioner who is the son of the deceased employee of the Indian Bank has filed this petition seeking to provide compassionate appointment to him.

3. The petitioner's father joined the Indian Bank service in the year 1984 and he passed away on 21.02.2011 at the age of 52. The petitioner being a physically challenged person with 60% disability finds it difficult to take care of himself and his mother with his father's pension. Hence, he submitted an application for compassionate appointment to the



Once again, the petitioner has given a representation to the first respondent on 07.12.2023 seeking compassionate appointment. Since the same was also not considered, the present writ petition is filed.

4. It is needless to point out that whenever a representation of this nature is made to an Authority, there is a duty cast upon them to consider the same on their 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 would amount to dereliction of duty. The failure on the part of the Authority had prompted the petitioner to file this petition 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.



W.P.(MD)No.10067 of 2024

WEB COPY

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 07.12.2023 on its own merits and pass appropriate orders in accordance with law, within a period of eight 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 first respondent to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of. No costs.

29.04.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order
mbi



WEB COPY



W.P.(MD)No.10067 of 2024

R.N.MANJULA, J.

mbi

W.P.(MD)No.10067 of 2024

29.04.2024