



W.P.(MD)No.12951 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.12951 of 2024

R.Balamurugan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
No.12, Thambusamy Salai,
Kilpauk,
Chennai-10.

2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Ramanathapuram,
Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's case for employment under compassionate appointment by considering the petitioner's representations dated 11.05.2022 and 03.01.2024.

For Petitioner : Mr.T.Leninkumar

For R-1 & R-2 : Mr.R.Satheesh,
Standing Counsel
for TNCSC



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ORDER

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

2. Heard Mr.T.Lenin Kumar, learned counsel appearing for the petitioner and Mr.R.Satheesh, learned Standing Counsel appearing for the respondents.

3. This Writ Petition has been filed seeking direction to the respondents to consider the petitioner's case for employment under compassionate appointment by considering the petitioner's representations dated 11.05.2022 and 03.01.2024.

4. The petitioner has made an application to provide employment under compassionate grounds in view of the death of the petitioner's father on 07.08.2020. The petitioner has given representations to the respondents on 11.05.2022 and 03.01.2024 within three years from the date of the death of the employee. No action has been taken by the respondents on the said representations made by the petitioner.

5. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders, instead of



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keeping the same pending indefinitely. 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, the Writ Petition is **disposed of** with a direction to the respondents herein to consider the petitioner's representation dated 03.01.2024 and pass appropriate orders on its own merits and in accordance with law, within a period of four 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. No costs.

19.06.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG

To
1.The Principal Secretary to Government / the Commissioner,

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Food and Consumer Protection (Ca1) Department,
Ezhilagam,
IV Floor,
Chepauk,
Chennai - 5.

2.The Registrar of Co-Operative Societies,
Kilpauk,
Chennai - 10.

R.N.MANJULA, J.



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