



WP(MD) No.14682 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.14682 of 2024

R.John Christopher

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
At Nagercoil.

2.The Block Development Officer,
(Village Panchayats),
Thuckalay,
Kozhiporvilai.

3.The Maruthurkurichi Panchayat,
Rep. By President,
Maruthurkurichi,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st and 2nd respondents to take necessary action against the 3rd respondent so as to permit the petitioner to sign in the attendance register maintained for



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overhead tank operator and to pay the salary regularly by considering the representation of the petitioner dated 24.11.2023.

For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.S.Shanmugavel (R1)
Additional Government Pleader
Mr.D.Sasikumar (R2 & R3)
Additional Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking for a direction to the 1st and 2nd respondents to take necessary action against the 3rd respondent so as to permit the petitioner to sign in the attendance register maintained for overhead tank operator and to pay the salary regularly by considering the representation of the petitioner dated 24.11.2023.

2. Heard Mr.S.C.Herold Singh, learned counsel for the petitioner, Mr.S.Shanmugavel, learned Additional Government Pleader for the first respondent and Mr.D.Sasikumar, learned Additional Government Pleader for the second and third respondents.



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

4. The petitioner herein had given a request / representation to the respondents on 24.11.2023 to permit the petitioner to sign in the attendance register maintained for overhead tank operator and to pay the salary regularly. Since the said representation was not considered by the respondents so far, the present writ petition has been filed.

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 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. 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



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consider the representation of the petitioner within a specified time frame.

6. In the light of the above observations, there shall be a direction to the respondents to consider the petitioner's request / representation dated 24.11.2023 on its own merits and pass appropriate orders 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.

7. With the above direction, the Writ Petition stands disposed of.

No costs.

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

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R.N.MANJULA, J.

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Order made in
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