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W.P.(MD)No.16959 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2024

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**THE HONOURABLE MS JUSTICE R.N.MANJULA**

W.P.(MD)No.16959 of 2024

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... Petitioner

Vs.

- 1.The Joint Director,  
Town Panchayat, MRC Nagar,  
Raja Annamalaipuram,  
Chennai-28.
- 2.The District Collector,  
Karur District, Karur.
- 3.The Assistant Director,  
Town Panchayat, Dindigul Zone,  
Collectorate, Dindigul-4.
- 4.The Executive Officer,  
Special Grade Town Panchayat,  
Aravakurichi,
- 5.The Chairman,  
Special Grade Town Panchayat,  
Aravakurichi, Karur District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the fourth respondent to appoint the petitioner as the regular driver in the fourth respondent Special Grade Town Panchayat on the basis of G.O.Ms.No.37, Municipal Administration and Water Supply (TP.1) Department dated 01.02.2011 by considering the petitioner's representation dated 05.07.2024 within the stipulated time fixed by this Court.



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For Petitioner : Mr.V.Karuna  
For R1 to R4 : Mr.S.Shanmugavel  
Additional Government Pleader  
For R5 : Mr.Vairam Santhosh

### **ORDER**

Heard Mr.V.Karuna, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader for the respondents 1 to 4 and Mr.Vairam Santhosh, learned counsel for the fifth respondent.

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

3. Since the petitioner's representation dated 05.07.2024 seeking to appoint the petitioner as regular Driver in the fourth respondent Office on the basis of G.O.Ms.No.37, Municipal Administration and Water Supply (TP.1) Department dated 01.02.2011, has not been considered so far, the petitioner has filed this writ petition.

4. 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



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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 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 fourth respondent herein to consider the petitioner's representation dated 05.07.2024 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.

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

No costs.

**25.07.2024**

NCC:yes/no  
Index:yes/no  
Internet:yes/no  
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<https://www.mhc.tn.gov.in/judis>



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- 5.The Chairman,  
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Karur District.



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**R.N.MANJULA, J.**

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