



W.P.(MD)No.16975 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.16975 of 2024

Parithi Vigneshwaran

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Revenue Administration and Disaster Management Department,
Secretariat,
Chennai-600 009.
- 2.The Principal Secretary to Government,
Electricity Department, Secretariat,
Chennai-600 009.
- 3.The Principal Secretary to Government,
Youth Welfare and Sports Development Department,
Secretariat,
Chennai-600 009.
- 4.The Commissioner For Welfare of the Differently Abled,
State Commissionerate For Welfare of the Differently Abled,
No.5, Kamarajar Salai,
Lady Wellington College Campus,
Chennai-05.
- 5.The District Collector,
Madurai District.



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6. The Member Secretary,
Sports Development Authority of Tamilnadu,
Chennai-03.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to provide Government employment to the petitioner on the basis of the recommendation made by the fifth respondent in Na.Ka.No.505840/2023/C3, dated 09.08.2023 and by considering the petitioner's representation dated 11.07.2024.

For Petitioner : Mr.K.Samidurai

For R-1 to R-5 : Mr.J.Ashok,
Additional Government Pleader

ORDER

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

2. Heard Mr.K.Samidurai, learned counsel appearing for the petitioner and Mr.J.Ashok, learned Additional Government Pleader appearing for the respondent Nos.1 to 5.



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3. This Writ Petition has been filed seeking a direction to the respondents to provide Government employment to the petitioner on the basis of the recommendation made by the fifth respondent in Na.Ka.No.505840/2023/C3, dated 09.08.2023 and by considering the petitioner's representation dated 11.07.2024.

4. The petitioner is a National Judo sports person and now, he is studying 1st year B.E., (Electrical and Electronics Engineering) at Sri Eshwar College of Engineering, Coimbatore. He participated several National level and State level Judo sports events and got gold medals. Due to the negligence on the part of the second respondent / Electricity Board, he met with an accident and his left leg below the knee was amputated and due to which, his entire sports career was deteriorated. The second respondent and the third respondent had given some compensation to the petitioner.

5. The grievance of the petitioner is that his father deserted his family and his mother alone took care of his family. Hence, the mother of the petitioner made a representation to the fifth respondent to provide employment to the petitioner and to seek fair compensation for the petitioner's disability. The fifth respondent forwarded the same to the first respondent in Na.Ka.No.



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505840/2023/C3 on 09.08.2023. However, no steps have been taken by the first respondent. Thereafter, the petitioner has once again made a representation to the respondents on 11.07.2024. Since the same has not been considered, the petitioner has filed this present Writ Petition.

6. The learned Counsel for the petitioner would submit that though the petitioner made representations to the respondents seeking employment, the respondents have not considered the same so far and hence, he prayed for a direction to the respondents to consider the representation of the petitioner.

7. 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 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 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.



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8. In the light of the above observations, this Writ Petition is **disposed of** with a direction to the first respondent herein to consider the petitioner's representation dated 11.07.2024 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 first respondent to consider the same on its own merits. No costs.

25.07.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To

1.The Principal Secretary to Government,
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Revenue Administration and Disaster Management Department,
Secretariat,
Chennai-600 009.

2.The Principal Secretary to Government,
Electricity Department, Secretariat,
Chennai-600 009.

3.The Principal Secretary to Government,
Youth Welfare and Sports Development Department,
Secretariat, Chennai-600 009.



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4.The Commissioner For Welfare of the Differently Abled,
State Commissionerate For Welfare of the Differently Abled,
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R.N.MANJULA, J.

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