



W.P.(MD).No.17798 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.17798 of 2024

Meena

... Petitioner

Vs

1. The Assistant Director Or Town Panchayat,
Trichy.

2. The Administrative Officer,
Sirugamani Municipal Office,
Sirugamani, Srirangam Taluk,
Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner, dated 03.08.2023 and thereby appoint the petitioner in the 2nd respondent Municipality under compassionate ground.

For Petitioner : Mr. J.Madhu

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate



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ORDER

Heard Mr.J.Madhu, learned counsel for the petitioner and Mr.N.Ramesh Arumugam, learned Government Advocate, for the respondents.

2.This Writ Petition has been filed for a direction to the respondents to consider the representation of the petitioner, dated 03.08.2023 and appoint her under compassionate ground.

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

4. The petitioner's father was employed as a Sanitary Worker. While in service, he died on 11.05.2007. Since the petitioner was a minor at that time, the petitioner's mother gave a petition to consider herself for compassionate appointment and the same was orally rejected by the respondents. On attaining the age of majority in the year 2017, the petitioner gave a representation in this regard and the same was not considered. Since no action has been taken, the petitioner has sent a written representation on



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03.08.2023 before the respondents and the same was also not considered so far.

Hence, 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 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 herein to consider the petitioner's representation, dated 03.08.2023, on its own merits and pass appropriate orders in accordance with law, after making due enquiry, 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



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the merits of the case or 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, this writ petition is disposed of. No costs.

31.07.2024

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

To

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Trichy.

2. The Administrative Officer,
Sirugamani Municipal Office,
Sirugamani, Srirangam Taluk,
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R.N.MANJULA, J.

PNM

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