



W.P.(MD)No.28340 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.28340 of 2023

Karpagadevi

... Petitioner

vs.

- 1.The Government of Tamil Nadu,
Rep. by the Secretary,
Department of Survey and land Settlement,
Secretariat, St.George Fort,
Chennai - 600 009.
- 2.The Director of Survey and Land Settlement,
The Directorate of Survey and Settlement,
PWD Estate, Chepauk,
Chennai - 600 005.
- 3.The Assistant Director of Survey and Land Record,
Virudhunagar Collectorate,
Virudhunagar - 626 002.
- 4.The District Collector,
Virudhunagar Collectorate,
Virudhunagar - 626 002.
- 5.The Revenue Inspector,
O/o.the Revenue Inspector,
Arupukottai Division,
Virudhunagar District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to direct the respondents 2 to 4 to provide appointment to the petitioner on compassionate grounds in any suitable post commensurate with the educational qualifications by considering the representation dated 06.10.2023 within the time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar,
M/s.Lajapathi Roy and Associates

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The petitioner's husband who worked as a Surveyor in the Department of Survey and Land Settlement died on 07.09.2023, while in service. Subsequently, the petitioner had given a representation dated 06.10.2023 to the respondents to provide appointment to her on compassionate grounds. Since the said representation was not considered, the present writ petition has been filed.

2. 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



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them to consider the same on their own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Government Authority would amount to dereliction of duty. The failure on the part of the Authority had prompted the petitioner to file this petition 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.

3. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 06.10.2023 on their own merits and pass appropriate orders in accordance with law, within a period of eight 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 their own merits.



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4. With the above direction, the Writ Petition stands **disposed**

of. No costs.

10.06.2024

NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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To

- 1.The Secretary,
Department of Survey and land Settlement,
Secretariat, St.George Fort, Chennai - 600 009.
- 2.The Director of Survey and Land Settlement,
The Directorate of Survey and Settlement,
PWD Estate, Chepauk, Chennai - 600 005.
- 3.The Assistant Director of Survey and Land Record,
Virudhunagar Collectorate,
Virudhunagar - 626 002.
- 4.The District Collector,
Virudhunagar Collectorate,
Virudhunagar - 626 002.
- 5.The Revenue Inspector,
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R.N.MANJULA, J.

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