



W.P.(MD)No.19592 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19592 of 2025

R.Prithiyunan

... Petitioner

-VS-

The Director General of Police,
Civil Supplies, Crime Investigation Department,
Chennai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to consider the petitioner's representation dated 03.09.2023, by way of giving compassionate appointment to the petitioner.

For Petitioner : Mr.V.Ganapathy Subramanian

For Respondent : Mr.K.Balasubramani
Special Government Pleader

ORDER

This Writ Petition is filed seeking a direction to the respondent to consider the petitioner's representation dated 03.09.2023, for compassionate appointment.

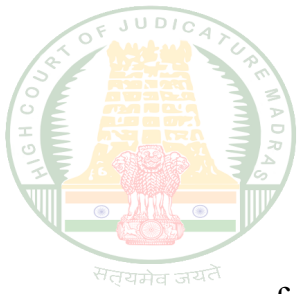


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2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner submits that his father, K.Ravindran, who was serving as a 'Head Constable' in the Civil Supplies Investigation Department, Sivagangai District, died in an accident while on duty on 14.07.2016, leaving behind the petitioner, the petitioner's mother, elder brother and elder sister as legal heirs. The petitioner initially applied for compassionate appointment on 16.11.2016, but his application was rejected on the ground that he had not attained the age of majority at that time. Subsequently, as advised by the authorities in letter dated 17.09.2017, the petitioner submitted a fresh application on 12.06.2018, upon attaining majority, as his date of birth is 24.05.1999. However, the respondent rejected his application again, by letter dated 07.01.2020, citing G.O.(Standing) No.86/Q-1/2020 dated 04.05.2010, stating he had not attained majority, which is factually incorrect. The petitioner thereafter submitted a detailed representation on 03.09.2023, which was received by the respondent on 08.09.2023, requesting reconsideration of his claim for compassionate appointment. Despite the lapse of time, no action has been taken on the said representation. Hence, the petitioner



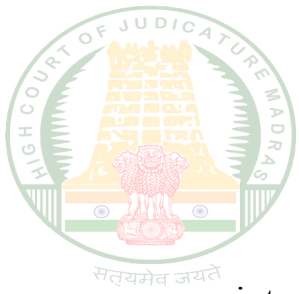
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prays for a direction to the respondent to consider his representation dated 03.09.2023 and provide compassionate appointment in accordance with law.

4. Heard both sides.

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 him to consider the same on its 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 Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 03.09.2023, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of two months from the date of



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receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondent to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

21.07.2025

To:-

The Director General of Police,
Civil Supplies, Crime Investigation Department,
Chennai.



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VIVEK KUMAR SINGH, J.

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