



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2017

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.(MD)No.2212 of 2017

and

WMP(MD)No.1832 of 2017

C.Manickam

... Petitioner

Vs.

1.State of Tamilnadu

Rep by its Secretary to Government
Law Department,
Secretariat,
Chennai.

2.The District Collector,
Dindigul District.

... Respondents

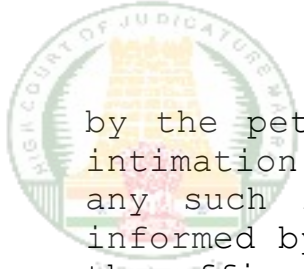
Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the 2nd respondent to dispose the petitioner's representation dated 04.02.2017, relating with the complaint of missing application, and to receive and process his new application dated 04.02.2017, for the post of Additional Public Prosecutor (PCR cases), Dindigul District.

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.C.Selvaraj
Spl. Government Pleader

ORDER

The petitioner is a practising Advocate having more than 22 years of practise in Dindigul District. The second respondent issued a notification dated 30.11.2016 inviting applications from the Advocates for the post of Special Public Prosecutor for PCR cases in Dindigul District. The petitioner claims that he went to the office of the second respondent in person on 27.12.2016 and submitted his application along with all the certificates to the C-2 clerk of the second respondent office. It is further stated



by the petitioner that even though the other applicants received intimation letter for police verification, he was not served with any such intimation letter. He further contended that he was informed by the C-2 clerk that his application is not available in the office. Therefore, he made a representation on 04.02.2017 to the second respondent to enquire into the matter and process his application. When the second respondent has not disposed of the said representation so far, the present writ petition is filed before this Court with the relief as stated supra.

2. Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that he gave an application while in time i.e., on 22.12.2016, when the last date for submitting such application. It is the case of the petitioner that such application was given in person at the second respondent's office. It is the further claim of the petitioner that such application given in person is lost at the office of the second respondent. Therefore, he gave a complaint on 04.02.2017. Therefore, it is for the second respondent to consider the said complaint and enquire into the matter without loss of further time.

4. Accordingly, this Writ Petition is disposed of with a direction to the second respondent to look into the complaint of the petitioner dated 04.02.2017 and conduct an enquiry and pass orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. If the second respondent finds that the petitioner has given the application on 27.12.2016 itself, the second respondent shall consider the application of the petitioner also along with other applications for appointment to the post of Special Public Prosecutor on its own merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

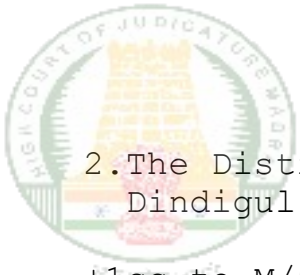
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Sub Assistant Registrar

To

1. Secretary to Government

Law Department,
Secretariat,
Chennai.



2.The District Collector,
Dindigul District.

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO. 8628

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AE/RR/15.03.2017/3P/4C

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and
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