

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 26.07.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.19170 of 2018

Nagaraj

...Petitioner

Versus

1. The Secretary to Government of Tamil Nadu,
Home Department,
Secretariat,
Chennai-9
2. The Director General of Police,
Chennai-4
3. The Additional Director General of Police (L&O),
Chennai-4
4. The Deputy Inspector General of Police,
Salem Range,
Salem District
5. The Superintendent of Police,
Dharmapuri District

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus directing the respondents to consider the petitioner's representation dated 13.07.2018.

For Petitioner : Mr.V.Sakkarapani

For Respondents : Mrs.R.Janaki,
Additional Government Pleader

ORDER

Mrs.R.Janaki, learned Additional Government Pleader takes notice on behalf of the respondents.

2. Heard the counsel for the petitioner, so also the counsel for the respondents, on their consent the case is taken up for disposal at the stage of admission.

3. The grievance of the petitioner in this case is that he has made representation on 25.04.2016 followed by the recent

representation dated 13.07.2018 to the first respondent, against the order regarding to punishment of "Black Mark" explaining the same but the representations having not been disposed of he has filed this writ petition seeking a writ of mandamus to direct the respondents to consider his representation and take a decision on such representation.

4. The learned counsel for the respondents submits that the petitioner has made out no case seeking writ of mandamus inasmuch as the representation is dated only 13.07.2018 which could not have also reached the table of the first respondent and hence no incation on the part of the respondents to issue the writ. Therefore, the writ petition filed by the petitioner is devoid of merits and liable to be dismissed.

5. On consideration of the facts and submissions, this Court is of the view that the petitioner has made out no case seeking a writ of mandamus as there cannot be said to be any inaction on the part of the first respondent and as such no writ of mandamus would lie against the respondents to consider such representation. However considering the fact that such representation is pending, it is hope and trust that the first respondent shall take an informed and considered decision on the same within a reasonable period preferably within a period of eight weeks from today, in accordance with law, if there is no other legal impediment.

6. With the aforesaid order, this writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government of Tamil Nadu,
Home Department,
Secretariat,
Chennai-9
2. The Director General of Police,
Chennai-4
3. The Additional Director General of Police(L&O),
Chennai-4

4. The Deputy Inspector General of Police,
Salem Range,
Salem District

5. The Superintendent of Police,
Dharmapuri District

+1cc to Mr.V.Sakkarapani, Advocate, S.R.No.50208

+1cc to the Government Pleader, S.R.No.51350

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PA (CO)
GSP (04/09/2018)



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