

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 28.11.2018
CORAM
THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
W.P.No.31095 of 2018

V.Mathaiyan,
S/o.Vadamban.
A/m Servaroyan Samy Koil,
Manjakuttai Post,
Yercard Taluk,
Salem District.

... Petitioner

Vs

1. The Commissioner,
HR & CE Department,
Mahatma Gandhi Salai,
Nungambakkam,
Chennai - 600 034.
2. The Joint Commissioner,
HR & CE Department,
Salem -1.
3. The Executive Officer,
A/m Kottai Mariamman Koil,
Salem.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the first respondent to take up the Revision Petition filed by the petitioner on 13.12.2017 in N.Dis.No.67854/2017 and the continuation on 08.02.2018 of N.Dis.No.874/2018, on the file of the first respondent herein, within a time frame as may be fixed by this Hon'ble Court.

For Petitioner : Mrs.G.Sumitra

For Respondents : Mr.M.Maharaja
Special Government Pleader(HR & CE)

O R D E R

Heard, Mrs.G.Sumitra, the learned counsel appearing for the petitioner and Mr.M.Maharaja, the learned Special Government Pleader, who accepts notice on behalf of the respondents.

2. With consent of the learned counsel on either side, the Writ Petition itself is taken up for disposal.

3. Earlier, the petitioner had filed a revision petition before the first respondent in N.Dis. No.874 of 2018 on 08.02.2017 and the same was returned by the second respondent on 13.12.2017 for want of compliance of certain defects.

4. It is the contention of the learned Special Government Pleader appearing for the respondents that it should be represented but not to file a fresh revision. Therefore, it was returned.

5. There is no dispute that the Commissioner has powers to consider the request of the petitioner. In such circumstances, the petitioner is directed to make a fresh representation to the first respondent within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such representation from the petitioner, the Commissioner is directed to consider the said representation, after affording an opportunity of personal hearing to the petitioner and pass appropriate orders on merits and in accordance with law within a period of four weeks thereafter.

6. With the aforesaid direction, this Writ Petition stands disposed of. No Costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
HR & CE Department,
Mahatma Gandhi Salai,
Nungambakkam,
Chennai - 600 034.

2. The Joint Commissioner,
HR & CE Department,
Salem -1.

3. The Executive Officer,
A/m Kottai Mariamman Koil,
Salem.

+1cc to Mr.G.Sumitra, Advocate, S.R.No.82315

+1cc to the Spl Government Pleader, S.R.No.81962

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AK(CO)
GSP(10/01/2019)



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