



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.962 of 2020

and WMP (MD) No.755 of 2020

L.Muthu Mariappan

...Petitioner

Vs

1. The Commissioner,
Department of Revenue Administration,
Chepauk,
Chennai.

2. The District Collector,
Tirunelveli District,
Tirunelveli.

3. The State Rep by
The Inspector of Police
District Crime Branch
Tirunelveli
Tirunelveli District

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents particularly the second respondent to regularize the service of the petitioner in the post of Junior Revenue Assistant working in the office of the Cheranmagadevei Taluk Office, Tirunelveli District from the date of his appointment by means of the proceedings dated 04.12.2006 under Na.Ka.No.4A/115387/06 on the file of the second respondent, within a time frame as specified by this Court.

For Petitioner : Mr.S.Palani Velayutham

For Respondents : Mr.M.Jeyakumar

Additional Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. Though the petitioner has sought for issuance of Writ of Mandamus to the second respondent to regularize the service of the petitioner from the date of his appointment by means of the



proceedings dated 04.12.2006 under Na.Ka.No.4A/115387/06 on the file of the second respondent, in my view, such a decision is to be taken by the respondents and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

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3. The petitioner would submit that he has already made representation on 27.11.2019 in this regard, which is said to be pending. If the said representation is directed to be disposed of within stipulated time, the ends of justice could be secured.

4. Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

5. In view of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation, dated 27.11.2019, on its own merits and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in the representation and it is for the respondents to consider it in accordance with law.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn
To

1. The Commissioner,
Department of Revenue Administration,
Chepauk, Chennai.



2. The District Collector,
Tirunelveli District,
Tirunelveli.

3. The State Rep by
The Inspector of Police
District Crime Branch
Tirunelveli
Tirunelveli District

+1 CC to M/s.SPL.GP (SR-2139[F] dated 21/01/2020)

+1 CC to M/s.S.PALANIVELAYUTHAM, Advocate (SR-2121[F] dated
21/01/2020)

W.P. (MD) No.962 of 2020
20.01.2020

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TR(17.02.2020) 3P 6C