



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **05.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH
W.P. (MD) No.2235 of 2020

WEB COPY

G.Ramamoorthi

... Petitioner

/vs./

1.The Director General of Police,
Tamilnadu Police Department,
Mylapore,
Chennai - 600 004.

2.The Commandant,
Tamilnadu Special Police 6th Battalion,
Madurai,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to fix the petitioner's seniority on par with his batch mates recruited in the year 2010 based on his representation dated 24.01.2020 and in the light of the proceedings passed by the first respondent in C.No.3362/Rect 1(2)/2016, dated 11.11.2016, within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu
For Respondents : Mr.R.Sethuraman
Special Government Pleader

ORDER

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

2.The limited prayer sought for the petitioner is that to consider the representation dated 24.01.2020 seeking to fix the petitioner's seniority on par with his batch mates recruited in the year 2010.

3.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 merit 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.



4. In view of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representations dated 24.01.2020 on its own merits and pass appropriate orders within a period of eight 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 his representation and it is for the first respondent to consider it in accordance with law.

5. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Director General of Police,
Tamilnadu Police Department,
Mylapore,
Chennai - 600 004.

2. The Commandant,
Tamilnadu Special Police 6th Battalion,
Madurai,
Madurai District.

+1 CC to MR.G.THALAIMUTHARASU, Advocate (SR-4959[F] dated 06/02/2020)

+1 CC to SPL GP (SR-5119[F] dated 06/02/2020)

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MK (13.02.2020) 2P 5C