



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.2794 of 2020

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M.Kasamuthu

...Petitioner

Vs

1. The Additional Director General of Police,
Law and Order,
Chennai -4.

2. The Deputy Inspector General of Police,
Tirunelveli District,
Tirunelveli.

3. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to release the amount deducted from the petitioner and also sanction the increment for three years based on his representation dated 22.01.2020.

For Petitioner : Mr.S.Muthalraj

For Respondents : Mr.M. Karuppasamy
Government Advocate

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 third respondent to release the amount deducted from the petitioner and also sanction the increment for three years, based on his representation, 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.



3. The petitioner would submit that he has already made representation on 22.01.2020 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.

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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 third respondent herein to consider the petitioner's representation, dated 22.01.2020, on its own merits and pass appropriate orders within a period of four (4) 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 respondents to consider it in accordance with law.

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

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

To

1. The Additional Director General of Police,
Law and Order,
Chennai -4.
2. The Deputy Inspector General of Police,
Tirunelveli District,
Tirunelveli.



3. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

+1 CC to M/s.S.MUTHALRAJ, Advocate (SR-6216[F] dated 13/02/2020)

+1 CC to M/s.SPL.GP (SR-6312[F] dated 14/02/2020)

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13.02.2020

NA (CO)
TR(25.02.2020) 3P 6C