



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.02.2020**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P. (MD) No.3047 of 2020

and

W.M.P. (MD) Nos.2595 and 2596 of 2020

T.V.Ramesh

... Petitioner

/vs./

1.The Principal Secretary to Government,
Government of Tamil Nadu,
Personnel and Administrative Reforms Department,
Secretariat, Chennai-9.

2.The Additional Chief Secretary to Government,
Government of Tamil Nadu,
Revenue and Disaster Management Department,
Secretariat, Chennai-9.

3.The Principal Secretary/Commissioner of Revenue Administration,
Revenue and Disaster Management Department,
Ezhilagam, Chepauk, Chennai-5.

4.The District Collector,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 3 to include the name of the petitioner in the panel for promotion to the post of Deputy Collector for the panel year 2019-2020.

For Petitioner : Mr.Pokodi Karnan
for M/s.Polax Legal Solutions

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. Though the petitioner has sought for issuance of writ of mandamus to direct the respondents 1 to 3 to include the name of the petitioner in the panel for promotion to the post of Deputy Collector for the panel year 2019-2020, in my view, such a decision is to be taken by the fourth respondent 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 09.12.2019 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 **(*)respondents 1 to 3** herein to consider the petitioner's representation, dated 09.12.2019, 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 1 to 3** to consider it in accordance with law.

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

Sd/

Assistant Registrar(P AND A)

**(*)AMENDED AS PER ORDER OF THIS
HON'BLE COURT DATED 19.02.2020**

/True copy/

/02/2020

Sub Assistant Registrar

rmk

TO BE SUBSTITUTED THE ORDER ALREADY DESPATCHED ON 17/02/2020

To:

- 1.The Principal Secretary to Government,
Government of Tamil Nadu,
Personnel and Administrative Reforms Department,
Secretariat, Chennai-9.
- 2.The Additional Chief Secretary to Government,
Government of Tamil Nadu,
Revenue and Disaster Management Department,
Secretariat, Chennai-9.



3.The Principal Secretary/Commissioner of Revenue Administration,
Revenue and Disaster Management Department,
Ezhilagam, Chepauk, Chennai-5.

4.The District Collector,
Thoothukudi District.

+1 CC to M/s.POLEX LEGAL SOLUTION, Advocate (SR-6426[F] dated
14/02/2020)

Order made in
W.P. (MD) No.3047 of 2020

KK/SAR/17.02.2020/3P-6C/
KK/SAR/20.02.2020/3P-6C