



WEB COPY

W.P.(MD) No.3327 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.02.2020**

CORAM:

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

W.P. (MD) No.3327 of 2020

K.Kasirajan

... Petitioner

/vs./

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

2.The Superintendent of Police,
Madurai District,
Madurai.

3.The commandant,
Tamil Nadu 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, to direct the first respondent to fix the petitioner's seniority on par with his batch mates recruited for the year 2012 based on his representation dated 17.07.2019 in the light of the proceedings of 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. Though the petitioner has sought for issuance of writ of mandamus to direct the first respondent herein to fix the seniority

<https://hcservices.mca.gov.in/hcservices/>



on par with his batch mates recruited for the year 2012, 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 a representation on 17.08.2019 in this regard, which is said to be pending. If the said representation is directed to be disposed of within a 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 first respondent herein to consider the petitioner's representation, dated 17.08.2019, 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 his representation and it is for the first respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Cp

To:-

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



2.The Superintendent of Police,
Madurai District,
Madurai.

3.The commandant,
Tamil Nadu Special Police,
6th Battalion,
Madurai, Madurai District.

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-7227[F] dated
20/02/2020)

+1 CC to M/s.SPL.GP (SR-7804[F] dated 24/02/2020)

Order made in
W.P.(MD)No.3327 of 2020
19.02.2020

KK/02.03.2020/3P-6C

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