



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.02.2020**

CORAM:

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

W.P.(MD)No.3916 of 2020

WEB COPY

K.Shenbagalingam

... Petitioner

/vs./

The Secretary to Government,
Home (Police VI) Department,
Fort St.George,
Chennai-600 009.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Secretary to Government, Chennai-600 009, the respondent herein to consider and pass orders on the Review Petition allowed submitted on 28.02.2019 to the respondent to set aside the penalty suffered by the petitioner and for the consequential disbursement of service and monetary benefits within the time frame.

For Petitioner : Mr.K.Rajkumar
For Respondent : 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 by the petitioner is that to consider his review petition dated 28.02.2019 to direct the respondent to set aside the penalty suffered by the petitioner and for the consequential disbursement of service and monetary benefits within the stipulated time.

3. Whenever a representation is made to a statutory authority to redress the claim of the petitioner, 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 respondent herein to consider the petitioner's review petition dated 28.02.2019 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 and it is for the 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)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To
The Secretary to Government,
Home (Police VI) Department,
Fort St.George,
Chennai-600 009.

+1 CC to M/s.SPL.GP (SR-8780[F] dated 27/02/2020)

+1CC TO MR.K.RAJKUMAR, Advocate Sr. No. 8442

Order made in
W.P. (MD) No.3916 of 2020

Dated:
26.02.2020

TR(11.03.2020)2P 4C