



IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 15.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7593 of 2019

P.Balasubramanian

... Petitioner

Vs

The Director General of Police,
Dr Radhakrishnan Salai,
Mylapore, Chennai-4

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pass orders on the representation made by the petitioner dated 09.02.2019 for consideration of his claim for promotion as Inspector of Police by taking into consideration the date of B list namely 22.05.2006 and promote the petitioner as Inspector of Police within a reasonable time and grant such other further relief.

For Petitioner : Mr.M.Muthappan

For Respondent : Mr.K.V.Sajeev Kumar
Government Counsel

O R D E R

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

2. Since the petitioner's claim for promotion as Inspector of Police was not considered, the present writ petition has been filed. According to the petitioner, he has made a representation to the respondent in this regard on 09.02.2019, which is still pending.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, 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. As such, non-consideration of the representation by the Statutory



Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

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4. In the light of the above observations, it would be appropriate to direct the respondent herein to consider the petitioner's representation dated 09.02.2019 within a stipulated time and thereby, the ends of justice could be secured. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the respondent to consider the petitioner's representation dated 09.02.2019 on its own merits and pass appropriate orders in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CO-VIII)

//True Copy//

Sub Assistant Registrar

hvk

To

The Director General of Police,
Dr Radhakrishnan Salai,
Mylapore, Chennai-4

+1cc to Mr.M.Muthappan, Advocate, S.R.No.33757

W.P.No.7595 of 2019

PMK (CO)
CT(11/08/2021)