



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 12.08.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.16888 of 2021

M.Bhojaraj Varma

... Petitioner

Vs

Freedom fighters Cell,
Chief Secretariat,
Government of Puducherry.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the representation sent by the petitioner dated 31.01.2021, for conferring the status of Freedom fighter on Chevalier Thiru Sellane Naicker.

For Petitioner : Mr.K.Kumaresh Babu

For Respondents : Mrs.V.Usha, AGP (Pondicherry)

ORDER

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

2. Since the petitioner's request for conferring the status of Freedom fighter on Chevalier Thiru Sellane Naicker was not considered by the respondent, the present writ petition has been filed. According to the petitioner, he has made a representation in this regard on 31.01.2021, 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.

4. In the light of the above observations, it would be appropriate to direct the respondent herein to consider the petitioner's representation dated 31.01.2021 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 respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the respondent herein to consider the petitioner's representation dated 31.01.2021 on its own merits and pass appropriate orders in accordance with law, within a period of eight 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(CS IV)

//True Copy//

Sub Assistant Registrar

hvk

To

Freedom fighters Cell,
Chief Secretariat,
Government of Puducherry.

W.P.No.16888 of 2021

SR (CO)
PR (31/08/2021)