



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 23.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17767 of 2020
and
WMP.No.22028 of 2020

V.Venkatesan

...Petitioner

Vs

1.The Principal Secretary-cum-
Commissioner of Revenue Administration and
Disaster Management,
Chepauk, Chennai 600 005.

2.The District Collector,
Chennai District,
Chennai - 600 001.

3.The District Revenue Officer,
Chennai District,
Collectorate Office,
Chennai 600 001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pass orders to include the name of the petitioner in 2020 Panel for promotion to the post of Deputy Tashildar based on seniority and eligibility of the petitioner in relaxation of two years R.I. Training period on the crucial date for the year 2020 by considering the representations of the petitioner dated 31.07.2020, 14.08.2020 and 19.09.2020 with all consequential and attendant benefits, within a time frame.

For Petitioner : Mr.G.Sankaran

For Respondents: Mr.K.V.Sajeevkumar
Government Advocate

O R D E R

Since the petitioner's request to include the name of the petitioner in 2020 Panel for promotion to the post of Deputy Tashildar based on seniority and eligibility of the petitioner in relaxation of two years R.I. Training period on the crucial date for the year 2020 was not considered, the present writ



petition has been filed. According to the petitioner, he has made representations in this regard on 31.07.2020, 14.08.2020 and 19.09.2020, which are still pending.

2. 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.

3. In the light of the above observations, it would be appropriate to direct the respondents 1 and 2 herein to consider the representations dated 31.07.2020, 14.08.2020 and 19.09.2020 to include the name of the petitioner in 2020 Panel for promotion to the post of Deputy Tashildar, 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 respondents to consider the same on its own merits.

4. Accordingly, there shall be a direction to the respondents 1 and 2 to consider the petitioner's representations dated 31.07.2020, 14.08.2020 and 19.09.2020 on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gv

To

1.The Principal Secretary-cum-
Commissioner of Revenue Administration and
Disaster Management,
Chepauk, Chennai 600 005.



2.The District Collector,
Chennai District,
Chennai - 600 001.

3.The District Revenue Officer,
Chennai District,
Collectorate Office,
Chennai 600 001.

+1cc to M/s.G.Sankaran, Advocate SR.No. 35406
+1 cc to Government Pleader Sr.No. 35630

W.P.No.17767 of 2020
and
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NK(CO)
B.VC(23.08.2021)