



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.838 of 2021

S.Immam Hussain

...Petitioner

Vs

1.The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam,
Chennai-600 108.

2.The Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 24.08.2020 to the first respondent through the second respondent (the Proper Channel) and to include the name of the petitioner in the promotional Panel to the post of District Inspector of Cottage Industries (Grade-II) within a time frame fixed by this Court.

For Petitioner : Mr.S.Karthick Ramkumar

O R D E R

In view of the limited prayer sought for and since this Court is not adjudicating the emerge of the case, notice to the respondents is dispensed with.

2.Since the petitioner's request to the respondents to include his name in the promotional panel to the post of District Inspector of Cottage Industries (Grade-II) was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 24.08.2020, 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 first respondent herein to consider the petitioner's representation dated 24.08.2020, within a stipulated time and thereby the ends of justice could be secured.

5. Accordingly, there shall be a direction to the first respondent to consider the petitioner's representation dated 24.08.2020, on its own merits and pass appropriate orders in accordance with law, within a period of four 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)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam,
Chennai-600 108.

2.The Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Dindigul.

+1 CC to M/s.S.KARTHICK RAM KUMAR, Advocate (SR-1551[F] dated 21/01/2021)

Order made in
W.P. (MD) No.838 of 2021
21.01.2021

(PU) CO

AP (29/01/2021) 2P 4C