



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2021

CORAM:

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

W.P. (MD) No.1464 of 2021

M.Rajaram

...Petitioner

Vs.

1.The Additional Chief Secretary to Government,  
Adi Dravidar and Tribal Welfare Department,  
Secretariat, Chennai-600 009.

2.The Director of Adi Dravidar Welfare,  
Chepauk, Chennai-600 005.

3.The District Adi Dravidar Welfare Officer,  
Collectorate Complex,  
Tiruchirapalli.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent i.e., the Additional Chief Secretary to Government, Adi Dravidar and Tribal Welfare Department, Chennai, to pass appropriate orders on the petitioner's representation dated 14.12.2020 regarding regularization of his service in the cadre of Servant-cum-Watchman right from his date of joining i.e., 08.06.1972 on par with Thiru.Pitchaimuthu as per Government Orders issued in G.O.(Perm) No.111 Adi Dravidar and Tribal Welfare Department dated 17.09.1996 and G.O.(Perm) No.153, Adi Dravidar and Tribal Welfare Department dated 03.09.1997, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.S.Dhayalan

Government Advocate

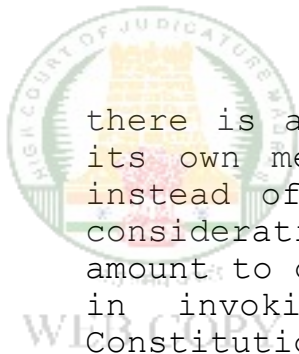
### **O R D E R**

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

2.Since the petitioner's request to the respondents to regularize his service in the cadre of Servant-cum-Watchman right from his date of joining i.e., 08.06.1972 on par with Thiru.Pitchaimuthu was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 14.12.2020, which is still pending.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority,

<https://hcservices.ecourts.gov.in/hcservices/>



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 second respondent herein to consider the petitioner's representation dated 14.12.2020, 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 view 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 second respondent to consider the petitioner's representation dated 14.12.2020, on its own merits and pass appropriate orders in accordance with law, within a period of twelve 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 (CSIII)

// 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 Additional Chief Secretary to Government,  
Adi Dravidar and Tribal Welfare Department,  
Secretariate, Chennai-600 009.

2.The Director of Adi Dravidar Welfare,  
Chepauk, Chennai-600 005.



3.The District Adi Dravidar Welfare Officer,  
Collectorate Complex,  
Tiruchirapalli.

+1 CC to M/s.S.VISVALINGAM, Advocate ( SR-2692[F] dated 01/02/2021 )

+1 CC to M/s.SPL GP ( SR-2828[F] dated 02/02/2021 )

W.P.(MD) No.1464 of 2021  
01.02.2021

SSS(CO)  
KB(12.02.2021) 3P 6C