



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.2567 of 2021

S.Nimith Nesh Dhas

... Petitioner

Vs.

1.The Director General of Police,
Tamil Nadu,
Mylapore,
Chennai - 600 004.

2.The Chairman,
Uniform Recruitment Service,
Chennai.

3.The Superintendent of Police,
Kanniyakumari District @ Nagercoil.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st and 2nd respondents to appoint the petitioner in the post of Grade II Constable, considering his representations dated 26.02.2020, 28.09.2020 and on 29.12.2020.

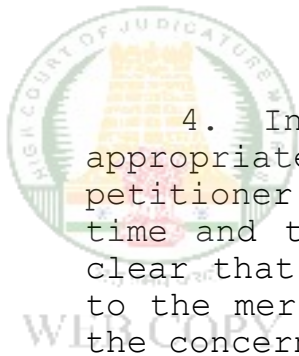
For Petitioner : M/s.Victoria Gowri
For Respondents : Mrs.VPM.Vaishnavi
Government Advocate

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 the 1st and 2nd respondents to appoint the petitioner in the post of Grade II Constable, was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 29.12.2020, which is still pending.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, 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 respondents herein to consider the petitioner's representation dated 29.12.2020, 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 respondents to consider the petitioner's representation dated 29.12.2020, 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.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Director General of Police,
Tamil Nadu,
Mylapore, Chennai - 600 004.

2. The Chairman,
Uniform Recruitment Service, Chennai.

3. The Superintendent of Police,
Kanniyakumari District @ Nagercoil.

+1 CC to M/s.SPL GP (SR-4908[F] dated 15/02/2021)

+1 CC to M/s.L.VICORIA COWRI, Advocate (SR-5049[F] dated 15/02/2021)

W.P. (MD) No.2567 of 2021
11.02.2021

DKS (CO)

KB(22.02.2021) 2P 6C

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