



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.2762 of 2021

WEB COPY

S.Thangaraj

...Petitioner

Vs.

1.The Deputy Inspector General of Police,
Tirunelveli Range, Tirunelveli.

2.The Superintendent of Police,
Tirunelveli,
Tirunelveli District.

3.The Inspector of Police,
Sankarankoil Town Police Station,
Sankarankoil,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to relieve the petitioner from service as on 31.01.2021 based on the petitioner's application dated 23.10.2020 seeking for voluntary retirement from service.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.A.Muthukaruppan

Additional Government Pleader

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.The petitioner has given a representation dated 04.02.2021 to the respondents, seeking for voluntary retirement from service and the same is pending before the respondents without there being any order passed and therefore, the petitioner has filed the present writ petition.

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 04.02.2021 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 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 04.02.2021 in 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 (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1. The Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.

2. The Superintendent of Police,
Tirunelveli,
Tirunelveli District.

3. The Inspector of Police,
Sankarankoil Town Police Station,
Sankarankoil,
Tenkasi District.

+1 CC to SPL GP (SR-5327[F] dated 16/02/2021)

+1 CC to Mr.R.J.KARTHICK, Advocate (SR-5465[F] dated 16/02/2021)

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15.02.2021

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