



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2021

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.3416 of 2021

Vibin Raj ...Petitioner

Vs.

1.The Director General of Police,
Office of the Director General of Police,
Radhakrishnan Salai,
Mylapore, Chennai.

2.The Chairman,
The Tamil Nadu Uniformed Service Recruitment Board,
Pantheon Road, Egmore,
Chennai - 600 008.

3.The Member Secretary,
The Tamil Nadu Uniformed Service Recruitment Board,
Pantheon Road, Egmore,
Chennai - 600 008.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to give priority to petitioner in the appointment for the post of Grade-II Police Constable Grade-II Jail Warden and Fireman vide notification of the 2nd respondent, dated 17.09.2020, by considering petitioner's representation dated 29.12.2020.

For Petitioner : Mr.N.Mohideen Basha

For Respondents : Mr.K.Chellapandian
Additional Advocate General

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 give priority to petitioner in the appointment for the post of Grade-II Police Constable Grade-II Jail Warden and Fireman vide notification of the 2nd respondent, dated 17.09.2020, was not considered, the Writ Petition has been filed. According to the

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



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 third respondent 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 third respondent to consider the petitioner's representation, dated 29.12.2020, on its own merits and pass appropriate orders in accordance with law, as expeditiously as possible.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TM

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,
Office of the Director General of Police,
Radhakrishnan Salai,
Mylapore, Chennai.
- 2.The Chairman,
The Tamil Nadu Uniformed Service Recruitment Board,
Pantheon Road, Egmore,
Chennai - 600 008.
- 3.The Member Secretary,
The Tamil Nadu Uniformed Service Recruitment Board,
Pantheon Road, Egmore,
Chennai - 600 008.

+1 CC to SPL GP (SR-8398[F] dated 03/03/2021)

W.P. (MD) No.3416 of 2021
02.03.2021

KM (19.03.2021) 3P 5C