



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2021

CORAM:

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

W.P.(MD) No.5605 of 2021

S.Lakshmi

...Petitioner

Vs.

1.The Principal Secretary to the Government,  
Finance Department,  
Secretariat, Chennai-9.

2.The Commissioner of Treasuries & Accounts,  
Finance Department Combined Office Building,  
Nandhanam,  
Chennai-35.

3.The District Treasury Officer,  
Dindigul,  
Dindigul District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to consider the representation of the petitioner dated 08.02.2021 to include the name of the petitioner in the panel as on 15.03.2007 for the year 2007-2008 in proceedings in Pdl.No.100/07 dated 08.10.2007 of the third respondent for notional promotion as Accountant, within a period that may be stipulated by this Court.

For Petitioner : Mr.K.Ponnaiah

For Respondents : Mrs.J.Padmavathi Devi  
Special 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.Since the petitioner's request to the respondents to include her name in the panel as on 15.03.2007 for the year 2007-2008 in proceedings in Pdl.No.100/07 dated 08.10.2007 of the third respondent for notional promotion as Accountant was not considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard on 08.02.2021, 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 08.02.2021, 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 third respondent to consider the petitioner's representation dated 08.02.2021, 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(CS-III)

// 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 Principal Secretary to the Government,  
Finance Department,  
Secretariat, Chennai-9.
- 2.The Commissioner of Treasuries & Accounts,  
Finance Department Combined Office Building,  
Nandhanam,  
Chennai-35.
- 3.The District Treasury Officer,  
Dindigul,  
Dindigul District.

+1 CC to M/s.SPL GP ( SR-11153[F] dated 15/03/2021 )

**W.P. (MD) No.5605 of 2021**

=  
kmv (CO)  
TR(30.03.2021) 3P 5C