



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.13593 of 2020

and

W.M.P (MD) No.11319 of 2020

WEB COPY

M.Karuppu Samy

...Petitioner

Vs.

1.The Director General of Police,
O/o. Director General of Police Head Office,
Chennai-04.

2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
No.807, P.T.Lee Chengalvaraya Naicker Maligai,
Anna Salai, Chennai-600 002.

3.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
No.807, P.T.Lee Chengalvaraya Naicker Maligai,
Anna Salai, Chennai-600 002.

4.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

5.The Sub-Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents No.1 to 4 to grant appointment order to the petitioner forthwith in the common recruitment for the posts of Gr.II Police Constable, Gr.II Jail Warder and Fireman 2019 as well as to grant all other attendant benefits to the petitioner based on the petitioner's representation dated 27.08.2020 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.K.Chellapandian
Additional Advocate General



O R D E R

Since the petitioner's request to the respondents to grant appointment order to him forthwith in the common recruitment for the posts of Gr.II Police Constable, Gr.II Jail Warder and Fireman 2019 as well as to grant all other attendant benefits to him was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 27.08.2020, which is still pending.

2. 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.

3. In the light of the above observations, it would be appropriate to direct the respondents 1 to 4 herein to consider the petitioner's representation dated 27.08.2020, 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.

4. Accordingly, there shall be a direction to the respondents 1 to 4 to consider the petitioner's representation dated 27.08.2020 on its own merits and pass appropriate orders in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// 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,
O/o. Director General of Police Head Office,
Chennai-04.
- 2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
No.807, P.T.Lee Chengalvaraya Naicker Maligai,
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- 3.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
No.807, P.T.Lee Chengalvaraya Naicker Maligai,
Anna Salai, Chennai-600 002.
- 4.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 5.The Sub-Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate
(SR-14254[F] dated 29/03/2021)

+1 CC to M/s.SPL GP (SR-14798[F] dated 31/03/2021)

W.P. (MD) No.13593 of 2020

and

W.M.P (MD) No.11319 of 2020

29.03.2021

cp

nsv (24.04.2021) 3P 8C