



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.15091 of 2020

Manikavasagam

...Petitioner

Vs.

1.The Secretary to the Government,
Municipal Administration and Water Supply Department,
St.Fort George, Chennai-600 009.

2.The Commissioner of Municipal Administration
Municipal Administration Commissionerate,
MRC Nagar, Rajaanamalaipuram,
Santhome, Chennai-600 028.

3.The Commissioner and Special Officer,
Tiruchirapalli City Corporation,
Tiruchirapalli.

... Respondents

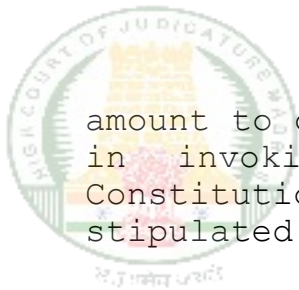
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to send report to the second respondent as per the order dated 18.09.2020 by the second respondent within the time frame as fixed by this Court.

For Petitioner	:	Mr.R.Rameez Ajmal Khan
For R-1 and R-2	:	Mr.S.Dhayalan Government Advocate
For R-3	:	Mr.S.Sajibino Standing Counsel

O R D E R

Since the petitioner's request to the respondents to give promotion to the post of Assistant Revenue Officer in the second respondent Corporation was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 08.09.2020, 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 third respondent herein to consider the petitioner's representation dated 08.09.2020, 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 third respondent to consider the petitioner's representation dated 08.09.2020, in the light of the proceedings of the second respondent, on its own merits and pass appropriate orders in accordance with law, within a period of four 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.

Sd/-

Assistant Registrar

// 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 Secretary to the Government,
Municipal Administration and Water Supply Department,
St. Fort George, Chennai-600 009.

2. The Commissioner of Municipal Administration
Municipal Administration Commissionerate,
MRC Nagar, Rajaanamalaipuram,
Santhome, Chennai-600 028.

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



3.The Commissioner and Special Officer,
Tiruchirapalli City Corporation,
Tiruchirapalli.

+1 CC to M/s.GP (SR-4249[F] dated 10/02/2021)

+1 CC to M/s.S.SAJIBINO, Advocate (SR-4468[F] dated 11/02/2021)

W.P. (MD) No.15091 of 2020
09.02.2021

(NA) CO
AP (24/02/2021) 3P 6C