



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P (MD)No.19460 of 2020

S.Ashokkumar

...Petitioner

Vs

1.The Director General of Police/Chairman,
Tamilnadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore,
Chennai-600 008.

2.The Member Secretary,
Tamilnadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore,
Chennai-600 008.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to issue a copy of the Expert Committee final report as per the order of this Court passed in W.P.No.7854/2020 dated 17.08.2020 and in W.A.No.865 of 2020 dated 05.10.2020, to the petitioner on the basis of the petitioner's representation dated 01.12.2020 within a period of time as may be fixed by this Court.

For Petitioner : Mr.M.Ponniah

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 issue a copy of the Expert Committee final report as per the order of this Court passed in W.P.No.7854 of 2020 dated 17.08.2020 and in W.A.No.865 of 2020 dated 05.10.2020 to him was not considered, the Writ Petition has been filed. According to the petitioner, he



has made a representation in this regard on 01.12.2020, 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 respondents herein to consider the petitioner's representation dated 01.12.2020, 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 respondents to consider the petitioner's representation dated 01.12.2020, on its own merits and pass appropriate orders in accordance with law, within a period of one 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(Crl Side)

// 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

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+1 CC to M/s.SPL GP (SR-8651[F] dated 04/03/2021)

+1 CC to M/s.M.PONNIAH, Advocate (SR-8844[F] dated 04/03/2021)

W.P(MD)No.19460 of 2020
03.03.2021

SR(CO)
TR(05.03.2021) 3P 5C