



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.6273 of 2015

Dr.A.Senthamizh Chelvan

...Petitioner

-Vs-

1. Govt. of Tamilnadu,
Rep. by the Secretary,
Health and Family Welfare,
Fort St. George,
Chennai - 600 009.

2. The Director of Public Health and
Preventive Medicine,
Chennai - 600 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to treat the ad hoc service rendered by the petitioner from 24.01.2002 to 05.07.2006 as qualifying and pensionable service and other related service benefits.

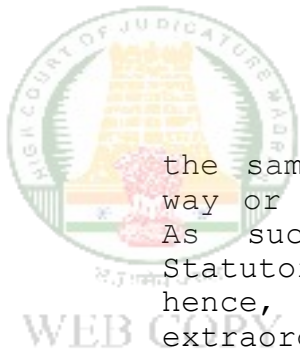
For Petitioner : Mr.K.Raghuraman

For Respondents : Mr.C.Selvaraj,
Additional Government Pleader

ORDER

The petitioner herein had given various representations to the first respondent requesting to treat his ad hoc service period as qualifying and pensionable service. Since the said representations were not considered, the present writ petition has been filed.

2. It is needless to point out that whenever representations of this nature are 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. Since the representations given by the petitioner dates back to the year 2014, it would be appropriate that the petitioner be granted liberty to give a fresh consolidated representation, with a consequential direction to the first respondent herein to consider the same.

4. In the light of the above observations, the petitioner is granted liberty to give a fresh representation to the first respondent herein ventilating his grievances. On receipt of the same, the first respondent shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of three (3) weeks from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

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

Sd/-
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

hvk

To

1. The Secretary,
Health and Family Welfare,
Fort St. George,
Chennai - 600 009.



2. The Director of Public Health and
Preventive Medicine,
Chennai - 600 006.

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+1cc to Mr.K.Raghuraman, Advocate, S.R.No.2108

+1cc to the Government Pleader, S.R.No.2981

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PL(CO)
SU(31/01/2022)