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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.13586 of 2022

E.Prathap

...Petitioner

Vs.

1. The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector,
Chengalpattu District,
Chengalpattu.
3. The Revenue Divisional Officer,
Madurantakam, Chengalpattu,
Chengalpattu District.
4. The Tahsildar,
Cheyyur Taluk Office,
Cheyyur,
Chengalpattu District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to revise the petitioner appointment as Junior Assistant with effect from his initial appointment along with back wages and other monetary benefits in the light of judgments in W.P.(MD).No.69 of 2010, W.P.(MD).No.3642 of 2011, W.P.(MD).Nos.13354, 13355 of 2013, W.P.(MD).No.18651 of 2021, W.P.No.4523 of 2022 and W.P.No.15057 of 2011, within a time frame as may be stipulated by this Hon'ble Court.

For Petitioner : Mr.P.Murali

For Respondents : Mr.P.Sathish
Additional Government Pleader



ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

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2. The petitioner herein had given a representation to the second respondent on 01.12.2021 seeking for appointment as Junior Assistant with effect from his initial appointment along with back wages and other monetary benefits. Since the said representation was not considered, the present Writ Petition has been filed.

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 the Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 01.12.2021 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. It is made clear that this Court has not expressed any of its views 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. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

Sni/Vsi2

To

1. The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.



2. The District Collector,
Chengalpattu District,
Chengalpattu.

3. The Revenue Divisional Officer,
Madurantakam, Chengalpattu,
Chengalpattu District.

4. The Tahsildar,
Cheyyur Taluk Office,
Cheyyur,
Chengalpattu District.

W.P.No.13586 of 2022

KJ (CO)
PR (23/06/2022)