



W.P.No.36927 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.36927 of 2016

P.S.Jyothi Murugan

...Petitioner

-Vs-

1.The Principal Director of Highways Department,
PWD Complex, Kamarajar Salai,
Chennai - 5.

2.The Joint Director (Admin),
O/o Principal Director of Highways Department,
PWD Complex, Kamarajar Salai,
Chennai - 5.

3.The Divisional Manager (Highways),
Investigation Division,
Madurai Division, Villapuram,
Madurai - 12.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 08.05.2016 within a reasonable time frame.



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For Petitioner : Mr.K.S.Karthik Raja
For Respondents : Mr.M.Shahjahan,
Special Government Pleader

ORDER

The petitioner herein had given a representation on 08.05.2016 to the respondents requesting them to permit him to join duty as Assistant Draughtsman. Since the said representation was not considered, the present writ petition has been filed.

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. Since the representation given by the petitioner dates back to the year 2016, it would be appropriate that the petitioner be granted liberty to



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give a fresh representation, with a consequential direction to the respondents to consider the same, thereby securing the ends of justice.

4. In the light of the above observations, the petitioner is granted liberty to give a fresh representation to the respondents herein, along with a copy of the earlier representation dated 08.05.2016, ventilating his grievances. On receipt of such a representation, the respondents shall consider it and pass appropriate orders in accordance with law, within a period of eight (8) 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 it is open to the respondents to consider it on its own merits.

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

06.12.2022

Index:Yes/No
Internet:Yes/No
hvk



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To



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M.S.RAMESH,J.

hvk

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