



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 20.01.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6308 of 2017

V.Ramamoorthy

...Petitioner

Vs

- 1.The Home Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
- 2.The Director General of Police,
Chennai - 600 004.
- 3.The Chairman,
Tamil Nadu Uniformed Service
Recruitment Board,
Anna Salai - 600 002.
- 4.The Inspector General of
Police (Armed Reserve),
Trichy.
- 5.The Commandant,
1st Battalion, Trichy.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd and 3rd respondents to consider the petitioner's representation dated 20.10.2016 seeking for restoration of seniority, promotion on par with his batch mates (1992-1993) within the stipulated time.

For Petitioner : Mr.P.I.Thirumoorthy

For Respondents: Mr.E.Veda Bagath Singh,
Special Government Pleader



ORDER

The petitioner herein had given a representation to the second respondent on 20.10.2016 seeking for fixation of seniority on par with his batch mates. 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. In the light of the above observations, it would be appropriate to direct the second respondent herein to consider the petitioner's representation within a stipulated time and thereby, the ends of justice could be secured.

4. Accordingly, there shall be a direction to the second respondent to consider the petitioner's representation 20.10.2016 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) 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 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(CS III)

//True Copy//

Sub Assistant Registrar

hvk
To

1.The Home Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.



2.The Director General of Police,
Chennai - 600 004.

3.The Chairman,
Tamil Nadu Uniformed Service
Recruitment Board,
Anna Salai - 600 002.

4.The Inspector General of
Police (Armed Reserve),
Trichy.

5.The Commandant,
1st Battalion, Trichy.

+1cc to M/s.P.I.Thirumoorthy, Advocate Sr.3216
+1cc to the Government Pleader Sr.4005

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pch[col]
srg 04/02/2022