



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.06.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P. (MD) No. 9056 of 2022

WEB COPY

S.Alex Shelton

... Petitioner

/vs./

1.The Union of India represented by its
The Secretary to the Government of India,
Ministry of Home Affairs, New Delhi.

2.The Staff Selection Commission represented by its
The Chairman, Block No.12, CGO-Complex,
Lodhi Road, New Delhi - 110 003.

3.The Regional Director,
Staff Selection Commission,
Southern Region, 2nd Floor, EVC Sampath Building,
DPI Campus, College Road, Chennai-6.

4.The Director General,
CRPF (Recruitment Branch),
East Block-07, Level-4, Sector-01,
R.K.Puram, New Delhi- 110 066.

5.The Director General / Authorised Officer,
Office of the Director General Government of India,
Ministry of Home Affairs,
Sahastra Seema Bal, Force Head Quarters,
East Block, R.K.Puram, New Delhi-110 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to issue joining letter to the petitioner in the post of Constable (GD) in CAPFs/NIA/SSF and Rifleman (GD) in Assam Rifles in the year 2018 by considering the petitioner's representation, dated 17.01.2022.

For Petitioner	:	Mr.D.S.Haroon Rasheed
For Respondents	:	Mrs.L.Victoria Gowri
		Assistant Solicitor General of India

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2.The petitioner herein had given a representation to the respondents on 17.01.2022 seeking for issuance of joining letter in
<https://hcservices.ecourts.gov.in/hcservices/>



the post of Constable (GD) in CAPFs/NIA/SSF and Rifleman (GD) in Assam Rifles in the year 2018. 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 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 third respondent herein to consider the petitioner's representation dated 17.01.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) weeks 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(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Sm

To

1. The Staff Selection Commission represented by its
The Chairman, Block No.12, CGO-Complex,
Lodhi Road, New Delhi - 110 003.

2. The Regional Director,
Staff Selection Commission,
Southern Region, 2nd Floor, EVC Sampath Building,
DPI Campus, College Road, Chennai-6.



3.The Director General,
CRPF (Recruitment Branch),
East Block-07, Level-4, Sector-01,
R.K.Puram, New Delhi- 110 066.

WEB COPY

W.P. (MD) No.9056 of 2022
06.06.2022

NSN(CO)
KB(13.06.2022) 3P 4C