



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.06.2022**

CORAM:

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

W.P. (MD) No.10876 of 2022

WEB COPY

P.Sundararajan

... Petitioner

/vs./

1.The Director General of Police,
Fire and Safety and Rescue Services Department,
Chennai - 600 008.

2.The District Officer,
Fire and Safety and Rescue Services Department,
South Chennai,
South Chennai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to revoke the petitioner's suspension by his proceedings in Na.Ka.No.12589/E2/2021 dated 23.12.2021 by considering the representation dated 18.04.2022 and to reinstate the petitioner in service.

For Petitioner	:	Mrs.J.Balameenakshi
For Respondents	:	Mr.G.Suriyananth Additional Government Pleader

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 18.04.2022 seeking for revocation of the petitioner's suspension and reinstatement of the petitioner in service. 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 second respondent herein to consider the petitioner's representation dated 18.04.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) 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)

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To:

1. The Director General of Police,
Fire and Safety and Rescue Services Department,
Chennai - 600 008.

2. The District Officer,
Fire and Safety and Rescue Services Department,
South Chennai,
South Chennai District.

+1 CC to M/s.SPL.GP (SR-24407[F] dated 07/06/2022)

+1 CC to M/s.J.BALAMEENAKSHI, Advocate (SR-24457[F] dated 07/06/2022)

W.P. (MD) No.10876 of 2022
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KB(13.06.2022) 2P 5C