



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) .No.11782 of 2022

1.S.Jeyalakshmi

2.M.Johnsi David

... Petitioners

Vs.

1.The Principal Secretary / Commissioner of Revenue
Administration,
Ezhilagam,
Chepauk,
Chennai - 600 005.

2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent i.e., the Principal Secretary / Commissioner of Revenue Administration, Chennai to pass appropriate orders on the proposal sent by the District Revenue Officer, Virudhunagar in his Letter No.R.C.A2/14491/2021 dated 07.01.2022 within a specified time frame, that may be fixed by this Court.

For Petitioner	:	Mr.S.Visvalingam
For Respondents	:	Mrs.D.Farjana Ghoushia, Special Government Pleader.

ORDER

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

2. The petitioners herein had given representations to the second respondent on 16.04.2021 seeking to include their names in the approved list of Senior Revenue Inspector of the year 2019, for which, the second respondent sent a proposal dated 07.01.2022 to the first respondent seeking clarification. Since the said proposal was not considered, the present Writ Petition has been filed.



3. It is needless to point out that whenever a proposal 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 proposal 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 first respondent herein to consider the proposal of the second respondent dated 07.01.2022 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 of the petitioners 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. There shall be no order as to costs.

Sd/-

Assistant Registrar (C.O)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Lm
To

- 1.The Principal Secretary / Commissioner of Revenue
Administration,
Ezhilagam,
Chepauk,
Chennai - 600 005.
- 2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

+1 CC to M/s.S. VISVALINGAM, Advocate (SR-26159[F] dated 16/06/2022)
+1 CC to M/s.SPL.GP (SR-26175[F] dated 16/06/2022)

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