



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.06.2022

CORAM:

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

W.P. (MD)No.11930 of 2022

Lalitha

... Petitioner

/vs./

1.The District Collector,  
Karur District,  
Karur.

2.The Block Development Officer,  
Thanthonimalai Panchayat Union,  
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to revise the petitioner's seniority in the post of Assistant by placing her name above her junior, namely, J.Sureshkumar who has been given revised seniority in Rank No.123(A) in the post of Assistant and grant all Monetary, Service Benefits by considering the petitioner's representation, dated 28.03.2022.

|                |   |                               |
|----------------|---|-------------------------------|
| For Petitioner | : | Mr.G.R.Satish                 |
| For R-1        | : | Mr.M.Siddharthan              |
|                |   | Additional Government Pleader |
| For R-2        | : | Mr.S.P.Karthik                |
|                |   | Government Advocate           |

### ORDER

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

2. The petitioner herein had given a representations to the first respondent on 27.01.2022 and 28.03.2022 seeking to revise the petitioner's seniority in the post of Assistant. Since the said representations were 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 first respondent herein to consider the petitioner's representations dated 27.01.2022 and 28.03.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight 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 //

/06/2022

Sub Assistant Registrar(CS)

btr/vji

To

1.The District Collector,  
Karur District,  
Karur.

2.The Block Development Officer,  
Thanthonimalai Panchayat Union,  
Karur District.

+1 CC to M/s.G.R. SATHISH, Advocate ( SR-26052[F] dated 16/06/2022 )

+1 CC to M/s.SPL.GP. ( SR-26400[F] , SR-26412[F]dated 17/06/2022 )

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CK(CO)

KB(29.06.2022) 2P 5C