



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.06.2022

CORAM:

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

W.P.(MD)No.12048 of 2022

Marimuthu Pandian

... Petitioner

/vs./

Revisional Authority cum Principal Secretary,
Rural Development and Panchayat Raj Department,
Fort St.George,
Chennai-9.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to dispose the petitioner's review petition, dated 10.02.2022 within time stipulated by this Court on par with similar order passed by the same respondent in his circular No.21295/Pa.A.4/2018-19, dated 28.11.2019 for the Kaniyakumari District.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondent : Mr.A.Sivanupandian
Government Advocate

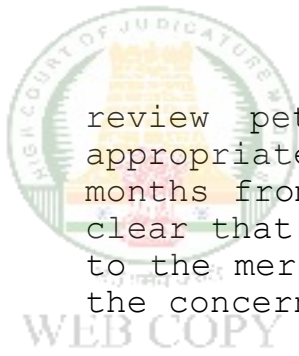
ORDER

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

2. The petitioner herein had given a review petition to the respondent on 10.02.2022 for fixing the Inter-se Seniority between directly recruited Assistants and Promotive Assistants. Since the said review petition 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 respondent herein to consider the petitioner's



review petition, dated 10.02.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three 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 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-III)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

btr/vji

To

Revisional Authority cum Principal Secretary,
Rural Development and Panchayat Raj Department,
Fort St.George,
Chennai-9.

+1 CC to M/s.RM. ARUN SWAMINATHAN, Advocate (SR-26293[F] dated 17/06/2022)

+1 CC to M/s.SPL.GP. (SR-26443[F] dated 17/06/2022)

W.P.(MD)No.12048 of 2022
16.06.2022

RD(29.06.2022) 2P 4C