



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.06.2022**

CORAM:

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

W.P. (MD)No.275 of 2019

G.Ramaiah

... Petitioner

/vs./

State of Tamilnadu

Represented by its Principal Secretary to the Government,
Additional Chief Secretary,
Department of Rural Development and Panchayat Raj,
Secretariat,
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 grant notional promotion to the Petitioner in the post of Additional Director of Rural Development with effect from the year 2012 and subsequent conferment as Indian Administrative Service Officer with all consequential benefits within the time period stipulated by this Court.

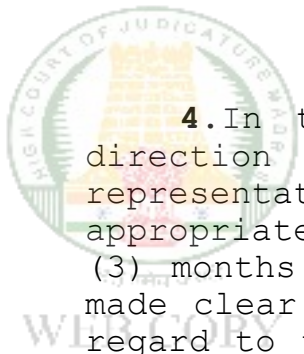
For Petitioner	:	Mr.Aswin Rajasimman for Mr.T.Lajapathi Roy
For Respondent	:	Mr.G.Suriyananth Additional Government Pleader

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 respondent on 07.12.2018 seeking for grant of notional promotion to him in the post of Additional Director of Rural Development with effect from the year 2012 and subsequent conferment as Indian Administrative Service Officer with all consequential benefits. 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 respondent herein to consider the petitioner's representation dated 07.12.2018 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 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 //

/ /2022

Sub Assistant Registrar(CS)

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To

Principal Secretary to the Government
State of Tamilnadu
Additional Chief Secretary,
Department of Rural Development and Panchayat Raj,
Secretariat,
Chennai - 9.

+1 CC to M/s.SPL.GP (SR-24577[F] dated 08/06/2022)

Order made in
W.P.(MD) No.275 of 2019

Dated:

07.06.2022

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