



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.06.2022**

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.12241 of 2022

and

W.M.P.(MD)No.8703 of 2022

M.Santhoshkumar

... Petitioner

/vs./

1. The Director,
Tamil Nadu Fire & Rescue Services,
Rukmani Lakshmipathy Road,
Egmore,
Chennai - 600 008.

2. Tamil Nadu Uniformed Services Recruitment Board,
Represented by its Chairman,
Old Commissioner Office Campus,
Pantheon Road,
Egmore,
Chennai - 600 008.

3. The Director General of Police,
O/o. The Director General of Police,
Chennai - 4.

4. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent No.1 to appoint the Petitioner in the post of Fireman by considering the representation of the petitioner dated 01.06.2022 within the time period as stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
assisted by
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 petitioner herein had given a representation to the respondents on 01.06.2022 seeking appoint the Petitioner in the post of Fireman. 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 first respondent herein to consider the petitioner's representation dated 01.06.2022 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. Connected MP is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Sm

To:

1. The Director,
Tamil Nadu Fire & Rescue Services,
Rukmani Lakshmipathy Road,
Egmore, Chennai - 600 008.

<https://hcservices.courts.gov.in/hcservices>



2. Tamil Nadu Uniformed Services Recruitment Board,
Represented by its Chairman,
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3. The Director General of Police,
O/o. The Director General of Police,
Chennai - 4.

4. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District.

1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-26990[F] dated
21/06/2022)

+1 CC to M/s.SPL.GP (SR-27169[F] dated 21/06/2022)

Order made in
W.P.(MD)No.12241 of 2022
Dated: 17.06.2022

USK/05.07.2022/3P/7C