



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P. (MD) .No.12221 of 2022

C.Kalidhas

...Petitioner

Vs

1.The Director,
Fire and Rescue Services Department,
No.17, Rukmani Lakshmipathy Road,
Egmore,
Chennai - 600 008.

2.The Member Secretary,
Tamil Nadu Uniformed Services and
Recruitment Board,
Old COP Office Campus,
Patheon Road,
Egmore,
Chennai - 600 008.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to consider the candidature of the petitioner and appoint him as Fireman on the basis of the representation dated 30.05.2022.

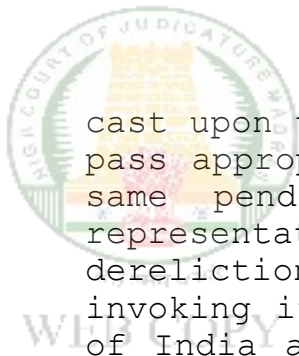
For Petitioner : Mr.C.M.Mari Chelliah Prabhu
For Respondents : Mr.Veera Kathiravan,
Additional Advocate General,
Assisted by,
Mrs.D.Farjana Ghoushia,
Special Government Pleader.

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 first respondent on 30.05.2022 seeking for appointment as 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
<https://hcservices.ecourts.gov.in/hcservices/>



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 30.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of six 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-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Nsr

To

1.The Director,
Fire and Rescue Services Department,
No.17, Rukmani Lakshmipathy Road,
Egmore,
Chennai - 600 008.

2.The Member Secretary,
Tamil Nadu Uniformed Services and
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+1 CC to M/s.C.M. NARI CHELLIAH PRABHU, Advocate (SR-26336[F] dated 17/06/2022)



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+1 CC to M/s.SPL.GP (SR-27165[F] dated 21/06/2022)

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NSN(CO)
KB(30.06.2022) 3P 5C