



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2022

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WEB COPY

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P.(MD) No.803 of 2019

S.Pandian

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District.

2.The Revenue Divisional Officer,
Sattur Division,
Sattur.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents herein to consider the petitioner's representation, seeking for transfer in any existing vacancies in his native Taluk that is Rajapalayam Taluk.

For Petitioner : Mr.Lakshmi Gopinathan for
M/s.Polax Legal Solutions
For Respondents : Mr.A.Sivanupandian
Government Advocate

O R D E R

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 21.09.2017 seeking for transfer in any existing vacancies in Rajapalayam Taluk. 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 petitioner to give a fresh representation to the respondents, though he has made a representation, dated 21.09.2017, seeking transfer to any existing vacancies in Rajapalayam Taluk and on receipt of such representation the respondents herein to consider the same, on its own merits and pass appropriate orders in accordance with law, within a period of four **(4)** weeks from the date of receipt of such representation. 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)

TM

To

1.The District Collector,
Virudhunagar District.

2.The Revenue Divisional Officer,
Sattur Division,
Sattur.

+1 CC to M/s.POLAX LEGAL SOLUTIONS, Advocate (SR-24326[F]
dated 06/06/2022)

+1 CC to M/s.SPL.GP (SR-24415[F] dated 07/06/2022)

W.P. (MD) No.803 of 2019

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SG(CO)

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