



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) .No.13238 of 2022

V.Sundaralingam

... Petitioner

Vs.

The Deputy Inspector General of Police,
Dindigul Range,
Dindigul.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to revoke the petitioner's suspension order dated 23.12.2021 nor review the same in view of the Judgement reported in 2015 (3) CTC 119 (Ajay Kumar Chowthry Vs Union of India) by invoking the rule 3 (c) (5) of the Tamilnadu Police Subordinate Service (Discipline and Appeal) Rules, 1955 as well as to follow the G.O.No.40 (Personal and Administrative reforms (N) Department, dated 30.01.1996) by disposing the petitioner's representation dated 04.03.2022 within the time stipulated by this Court.

For Petitioner	:	Mr.D.Selvanayagam
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 04.03.2022 seeking to revoke his suspension. 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 respondent 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 04.03.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) 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. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

lm/btr

To

The Deputy Inspector General of Police,
Dindigul Range,
Dindigul.

+1 CC to M/s.D.SELVANAYAGAM, Advocate (SR-28080[F] dated 24/06/2022)

+1 CC to M/s.SPL.GP (SR-28191[F] dated 27/06/2022)

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