



W.P.(MD).No.13523 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.13523 of 2022

Balaji

... Petitioner

Vs.

1.The Additional Director General of Police,
(Admin),
Director General of Police Office Campus,
Chennai – 4.

2.The Superintendent of Police,
Madurai,
Madurai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to revoke the petitioner's prolong suspension based on his representations dated 05.07.2021, 04.01.2022 on merits within a period of stipulated time limit as fixed by this Court.

For Petitioner : Mr.A.Prasanna Rajadurai

For Respondents : Mr.M.Siddharthan,
Additional Government Pleader.



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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 second respondent on 04.01.2022 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 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 second respondent herein to consider the petitioner's representation dated 04.01.2022 on its own merits and pass appropriate orders in accordance with



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law, within a period of four (4) 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.

29.06.2022

Index : Yes / No
Internet : Yes/ No
Lm/Nsr

To

- 1.The Additional Director General of Police,
(Admin),
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M.S.RAMESH, J.

Lm/Nsr

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