



W.P.(MD).No.13582 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.(MD).No.13582 of 2022

M.Soundarapandi

...Petitioner

Vs

1.The Principal Secretary/The Commissioner of
Revenue Administration,
Commissionerate of Revenue and Disaster Management,
Ezhilagam,
Chepauk,
Chennai.

2.The District Collector,
Dindigul District,
Dindigul.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to promote the petitioner as Deputy Tahsildar as per the re-revised Deputy Tahsildar list for the year 2018 published by the second respondent in the proceedings in PROC.No.A1/10791/2019-24 dated 22.04.2022 within a stipulated time fixed by this Court with all consequential benefits.

For Petitioner : Mr.M.R.Vijay Kumar

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 respondents on 30.05.2022 seeking for promotion as Deputy Tahsildar as per the re-revised Deputy Tahsildar list for the year 2018 published by the second respondent in the proceedings dated 22.04.2022, with all consequential benefits. 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.



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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 30.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of six (6) 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.

29.06.2022

Index: Yes/No

Speaking order/Non-speaking order

Nsr/Lm



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M.S.RAMESH,J.

Nsr/Lm

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