



WP(MD)No.14137 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **05.07.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.14137 of 2022

A.Mani

... Petitioner

/vs./

1.The Commissioner,
Adi-Dravidar Welfare Department,
Chepauk,
Chennai-5.

2.The District Adi-Dravidar & Tribes Welfare Officer,
Office of the District Adi-Dravidar & Tribes Welfare Office,
Trichy District,
Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to revoke the order of suspension issued by the first respondent vide his proceedings R.C. No.C4/9454/2022, dated 31.03.2022 by invoking Rule 17(e)(6) of the Tamil Nadu Civil Services (D and A) Rules, 1955 and by considering the petitioner's representation, dated 13.06.2022.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For Respondents : Mr.R.Ragavendran
Government Advocate



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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 first respondent on 13.06.2022 seeking for revoking the order of suspension issued by the first respondent vide his proceedings R.C.No.C4/9454/2022, dated 31.03.2022 by invoking Rule 17(e)(6) of the Tamil Nadu Civil Services (D and A) Rules, 1955. 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



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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 first respondent herein to consider the petitioner's representation dated 13.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of two (2) 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.

05.07.2022

Index : Yes / No
Internet : Yes / No
btr/TM

To

1. The Commissioner,
Adi-Dravidar Welfare Department,
Chepauk,
Chennai-5.

2. The District Adi-Dravidar & Tribes Welfare Officer,
Office of the District Adi-Dravidar & Tribes Welfare Office,
Trichy District, Trichy.



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M.S.RAMESH, J.

btr/TM

Order made in
W.P.(MD)No.14137 of 2022

Dated:
05.07.2022