



WP(MD)No.14224 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **05.07.2022**

CORAM:

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

W.P.(MD)No.14224 of 2022

V.Pandiaraj

... Petitioner

/vs./

The Commissioner of Food Safety,
359, Anna Salai,
DMS Campus,
Teynampet,
Chennai-6.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to transfer the petitioner from Melur Municipality and Melur Block, Madurai District (Code No. 433) to Theni Allinagaram Municipality and Theni Block, Theni District (Code No.473) on the basis of the petitioner's representation, dated 15.06.2022 in the light of G.O.Ms.No.107, Personnel Administrative Reforms (S) Department, dated 03.09.2020 within the time stipulated by this Court.

For Petitioner : Mr.K.Gokul

For Respondent : Mr.A.Sivanupandian
Government Advocate



WEB COPY



WP(MD)No.14224 of 2022

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 15.06.2022 seeking for transfer of the petitioner from Melur Municipality and Melur Block, Madurai District (Code No. 433) to Theni Allinagaram Municipality and Theni Block, Theni District (Code No.473), in the light of G.O.Ms.No.107, Personnel Administrative Reforms (S) Department, dated 03.09.2020. 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



WP(MD)No.14224 of 2022

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 15.06.2022, in the light of G.O(Ms)No.107, Personnel and Administrative Reforms (S) Department, dated 03.09.2020, 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



WEB COPY



WP(MD)No.14224 of 2022

M.S.RAMESH, J.

btr/TM

To

The Commissioner of Food Safety,
359, Anna Salai,
DMS Campus,
Teynampet,
Chennai-6.

Order made in
W.P.(MD)No.14224 of 2022

Dated:
05.07.2022