



W.P.(MD) No.15705 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15705 of 2022

G.Devaraj

... Petitioner

Vs.

1.The Director of Medical and Rural Health Services,
359, Anna Salai, Chokkalingam Nagar,
Teynampet,
Chennai – 600 006.

2.The Dean,
Government Medical College and Hospital,
Ramanathapuram – 623 501.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the first respondent i.e., the Director of Medical and Rural Health Services, Chennai, to pass appropriate orders on the petitioner's representation, dated 03.09.2019 and the report sent by the Dean of the Medical College and Hospital, Ramanathapuram in his Ref.No. 612/E3/2021, dated 10.03.2021 and Letter in Na.Ka.No.2251-N3-2021, dated 10.01.2022, within a specified time frame that may be fixed by this Court.



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For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.M.Siddharthan
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 respondents on 03.09.2019 seeking inclusion of the petitioner's name in the panel of Office Superintendent. 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



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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 first respondent herein to consider the petitioner's representation dated 03.09.2019 on its own merits and pass appropriate orders in accordance with law, within a period of eight **(8)** 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.

20.07.2022

Index : Yes / No
Speaking Order/ Non Speaking Order

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To

1.The Director of Medical and Rural Health Services,
359, Anna Salai, Chokkalingam Nagar,
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M.S.RAMESH,J.

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2.The Dean,
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