



WP(MD)No.15809 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.07.2022**

CORAM:

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

W.P.(MD)No.15809 of 2022

A.Ponnalagan

... Petitioner

/vs./

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The District Backward Classes and Minority Welfare Officer,
District Collector Office Campus,
Pudukkottai,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to review the petitioner's suspension order in Rc.No.M6/27644/2021 dated 29.11.2021 passed by the second respondent, as per the observation made by this Court in W.P(MD) No.2467 of 2022 dated 07.02.2022 and on the basis of the petitioner's representation dated 11.02.2022.

For Petitioner : Mr.G.Mathavan



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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 second respondent on 11.02.2022 requesting to review his suspension order in Rc.No.M6/27644/2021 dated 29.11.2021, as per the observation made by this Court in W.P(MD)No.2467 of 2022 dated 07.02.2022. 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



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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 11.02.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) 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.

21.07.2022

Index : Yes / No
Internet : Yes / No
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M.S.RAMESH, J.

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W.P.(MD) No.15809 of 2022

Dated:
21.07.2022