



WP(MD)No.16464 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.07.2022**

CORAM:

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

W.P.(MD)No.16464 of 2022

T.Vivek

... Petitioner

/vs./

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Home Department,
Secretariat,
Chennai 600 009.
- 2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore,
Chennai-8.
- 3.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore,
Chennai-8.
- 4.The Director General of Police,
O/o the Director General of Police,
Tamil Nadu,
Chennai - 600 008.



WP(MD)No.16464 of 2022

WEB COPY

5.The Director,
Tamil Nadu Fire and Rescue Services,
Rukmani Lakshmipathy Road,
Egmore,
Chennai - 600 008.

6.The Superintendent of Police,
O/o. the Superintendent of Police Office,
Thanjavur,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents to consider the petitioner for appointment to the post of Grade II-Police (Fire Man) in pursuant to the notification No.1/2020 dated 17.09.2020 and by considering the petitioner's representation dated 06.06.2022 within the period that may be stipulated by this Court.

For Petitioner : Mr.Mohamed Suhail
for M/s.Ajmal Associates
For Respondents : Mr.Veera.Kathiravan
Additional Advocate General
assisted by
Mr.M.Siddharthan,
Additional Government Pleader



WP(MD)No.16464 of 2022

WEB COPY

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 fifth respondent on 06.06.2022 seeking for appointment to the post of Grade II-Police (Fire Man), pursuant to the notification No.1/2020 dated 17.09.2020. 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 extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.



WP(MD)No.16464 of 2022

WEB COPY

4. In the light of the above observations, there shall be a direction to the fifth respondent herein to consider the petitioner's representation dated 06.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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.

27.07.2022

Index : Yes / No
Internet : Yes / No
sm



WP(MD)No.16464 of 2022

WEB COPY

TO:

- 1.The Principal Secretary,
Home Department,
Secretariat,
Chennai 600 009.
- 2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore,
Chennai-8.
- 3.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore, Chennai-8.
- 4.The Director General of Police,
O/o the Director General of Police,
Tamil Nadu,
Chennai - 600 008.
- 5.The Director,
Tamil Nadu Fire and Rescue Services,
Rukmani Lakshmipathy Road,
Egmore,
Chennai - 600 008.
- 6.The Superintendent of Police,
O/o. the Superintendent of Police Office,
Thanjavur,
Thanjavur District.



WEB COPY



WP(MD)No.16464 of 2022

M.S.RAMESH, J.

Sm

Order made in
W.P.(MD)No.16464 of 2022

Dated:
27.07.2022