



W.P.(MD).No.18293 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.18293 of 2022

Durai Singam

... Petitioner

Vs.

1.The Director General of Police,
Chennai.

2.The Additional Director General of Police,
South Zone,
Madurai.

3.The Commissioner of Police,
Madurai City,
Madurai.

4.The Superintendent of Police,
K.Pudur,
Madurai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first and second respondent to consider the petitioner's representation seeking to notionally promote the petitioner as Head Constable as in the year 1998 with retrospective effect and thereafter promote the petitioner as Special Sub Inspector of Police in the year 2003 and further notionally promote the petitioner as Sub Inspector and



W.P.(MD).No.18293 of 2022

Inspector of Police and grant the petitioner pension, consequential monetary and other applicable attendant benefits in light of the judgment rendered by the Madras High Court in CDJ 2022 MHC 1444.

For Petitioner : Mr.T.Palanisamy
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 30.01.2021 seeking for notional promotions and consequential monetary benefits. 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,



W.P.(MD).No.18293 of 2022

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.

4. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation, dated 30.01.2021, 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. There shall be no order as to costs.

12.08.2022

Index : Yes / No
Internet : Yes/ No
Lm/Rmk



W.P.(MD).No.18293 of 2022

To

WEB COPY

- 1.The Director General of Police,
Chennai.
- 2.The Additional Director General of Police,
South Zone,
Madurai.
- 3.The Commissioner of Police,
Madurai City,
Madurai.
- 4.The Superintendent of Police,
K.Pudur,
Madurai District.



WEB COPY



W.P.(MD).No.18293 of 2022

M.S.RAMESH, J.

Lm/Rmk

W.P.(MD).No.18293 of 2022

12.08.2022