



WP(MD)No.19326 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **23.08.2022**

CORAM:

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

W.P.(MD)No.19326 of 2022

V.Kanmanidevi

... Petitioner

/vs./

1.The Additional Chief Secretary/Commissioner of
Revenue Administration,
Revenue Administration and Disaster Management
Department,
Ezhilagam, Chepauk, Chennai 600 005.

2.The District Collector,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to revise the Assistant inter-se-seniority list drawn for the year 2011-2012 by fixing 15th May 2011 as the crucial date and include the name of the petitioner in the appropriate place in the light of the judgment of this Court in W.A(MD).Nos.836 of 2018 and batch dated 30.08.2019 and the Government Order in G.O.Ms.No.106, Personnel and Administrative Reforms(B) Department, dated 01.09.2020 within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader



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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 08.08.2022 seeking to revise the Assistant inter-se-seniority list drawn for the year 2011-2012 by fixing 15th May 2011 as the crucial date and include the name of the petitioner. 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.



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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 08.08.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months 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.

23.08.2022

Index : Yes / No

Internet : Yes / No

Rmk



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M.S.RAMESH, J.

Rmk

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Order made in
W.P.(MD)No.19326 of 2022

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