



W.P.(MD)No.19422 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.19422 of 2022

T.Vincent

... Petitioner

Vs.

1. The State of Tamil Nadu,
rep.by the Secretary to Government,
Home Department,
Secretariat, Fort St.George,
Chennai.

2.The Director General of Police,
Mylapore, Chennai.

3.The Superintendent of Police,
Nagercoil, Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 07.06.2022 and reinstate the petitioner in the Police Department with all other consequential and attendant benefits.



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For Petitioner : Mr.V.Sukumar
For Respondents : Mrs.D.Farjana Ghoushia
Special 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 first respondent on 07.06.2022 seeking for reinstatement himself in the respondent Department . 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



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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 07.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three 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.

24.08.2022

Index : Yes / No

Speaking Order : Yes / No

ssb



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M.S.RAMESH, J.

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