



WP(MD)No.20124 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.08.2022**

CORAM:

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

W.P.(MD)No.20124 of 2022

M.A.Palanikumar

... Petitioner

/vs./

1.The Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai -600 009.

2.The Director of Rural Development and Panchayat Raj,
Panagal Maligai,
Saidapet, Chennai-600 015.

3.The District Collector,
Madurai District, Madurai 625 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to pass appropriate orders to grant exemption for the petitioner from the operation of the relevant Single Service Rules in view of the orders passed by the second respondent in his proceedings in Na.Ka.No.4339/2018/B2, dated 28.06.2018 and consequently promote the petitioner as Deputy Block Development Officer on par with his junior P.Balamurugan, who is promoted as Deputy Block Development Officer on 30.06.2016 by considering the representation given by the petitioner dated 15.07.2021.



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For Petitioner : Mr.N.Sathish Babu

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 15.07.2021 seeking for promotion on par with his junior. 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 second and third respondents herein to consider the petitioner's representation dated 15.07.2021 on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) 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.

29.08.2022

Index : Yes / No

Internet : Yes / No

Rmk

To

- 1.The Secretary to Government,
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Secretariat, Chennai -600 009.
- 2.The Director of Rural Development and Panchayat Raj,
Panagal Maligai,
Saidapet, Chennai-600 015.
- 3.The District Collector,
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M.S.RAMESH, J.

Rmk

Order made in
W.P.(MD) No.20124 of 2022

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29.08.2022