



WP(MD)No.20805 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.20805 of 2022

A.Radha Krishnan

... Petitioner

-Vs-

1.The Secretary to Government of Tamil Nadu,
Municipal Administration and Water Supply
Department, Fort St.George,
Chennai-9.

2.The Director of Town Panchayat,
Kuralagam Buildings,
Chennai-108.

3.The District Collector,
Karur, Karur District.

4.The Assistant Director of Town Panchayat,
Dindigul Range, Dindigul District.



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5.The Executive Officer,
Puliyur Town Panchayat,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to promote the petitioner as Junior Assistant notionally following G.O.Ms.No.76, Municipal Administration Water Supply Department, dated 31.05.2019, considering the representation of the petitioner dated 23.12.2021.

For Petitioner : Mr.T.S.Mohamed Mohideen
For R1 to R4 : Mr.A.Sivanupandian,
Government Advocate.
For R5 : Mr.N.Ramesh Arumugam,
Government Advocate.

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 23.12.2021, to promote the petitioner as Junior Assistant notionally following



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G.O.Ms.No.76, Municipal Administration Water Supply Department, dated 31.05.2019. 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.

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 23.12.2021, 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



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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.

02.09.2022

Index : Yes / No

Internet : Yes / No

Myr / Rmk

TO:

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M.S.RAMESH, J.

Myr / Rmk

Order made in
W.P.(MD)No.20805 of 2022

Dated:
02.09.2022