



W.P.No.4149 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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R.Selvan

...Petitioner

Vs

- 1.The State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
Fort St. George, Chennai – 600 009.
- 2.The Principal Secretary,
Human Resources Management [N] Department,
Fort St. George, Chennai – 600 009.
- 3.The District Collector,
O/o. The District Collectorate,
Tiruppur District.
- 4.Personal Assistant [Development] to
District Collector,
Tiruppur District.
- 5.The Assistant Director of Rural Development,
Avanashi Block, Avanashi,
Tiruppur.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to



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consider the representation of the petitioner dated 01.08.2022 within a time frame.

For Petitioner : Mr.K.Balasubramaniam

For Respondents : Mr.E.Sundaram
Government Advocate

ORDER

With the consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given a representation to the third respondent on 01.08.2022 seeking for a direction to revoke his suspension. 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



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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 01.08.2022 on its own merits and pass appropriate orders in accordance with law, within a period of two 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 respondents to consider the same on its own merits.

5. With the above direction, the Writ Petition stands ordered. No costs.

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Index: Yes/No

Speaking order/Non-speaking order

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To
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M.S.RAMESH,J.

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