



W.P.No.4431 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.4431 of 2022
and W.M.P.No. 4574 of 2022

L.Giridhar

... Petitioner

Vs

1. The Secretary to the Government,
Health and Family Welfare,
Fort St.George, Chennai-600 009.
2. The Director,
Directorate of Medical Education,
162, EVR Periyar High Road,
Kilpauk, Chennai-600 010.
3. The Secretary Selection Committee Medical Education
162, EVR Periyar High Road,
Kilpauk, Chennai-600 010.
4. The Junior Administrative Officer,
Selection Committee,
Directorate of Medical Education,
162, EVR Periyar High Road,
Kilpauk, Chennai-600 010.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus directing the respondents 1 to 3 to regularise the



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petitioner's service as permanent post of tabulator/equivalent coming under 3rd respondent office and absorb the petitioner in time scale from the year 2012 on the basis of the petitioner representation dated 25.01.2022 within a short time limit as directed by this Court.

For Petitioner : Mr.S.Venkatesh
For Respondents : Mr.S.Rajesh
Government Advocate
For R.1 and R.2
Mrs.M.Sneha
Standing Counsel
For R.3

* * * * *

ORDER

Heard Mr.S.Venkatesh, learned counsel for the petitioner, Mr.S.Rajesh , learned Government Advocate for the respondents 1 and 2 and Mrs.M.Sneha, learned standing counsel for respondent no.3 and by consent of both sides, the main writ petition is taken up for final disposal.

2. The petitioner has made a representation on 25.01.2022 to the respondents to regularise the petitioner service as a permanent post of tabulator



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and absorb the petitioner in time scale from the year 2012. Since the representation was not considered, the petitioner has filed the present writ petition.

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 respondents herein to consider the representation of the petitioner dated 25.01.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight 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.



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5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index:Yes/No

Speaking order/Non-speaking order

sr

To

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M.S.RAMESH,J.,

(sra)

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