



W.P.No.4371 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No. 4371 of 2023

P.Rajaraman

... Petitioner

Vs.

1.The Superintendent of Police,
Nagapattinam District, Nagapattinam.

2.The Deputy Inspector General of Police,
Thanjavur Range, Thanjavur.

3.The Additional Superintendent of Police,
Headquarters, Nagapattinam.

4.The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai – 4.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the representation dated 17/01/2023 submitted by the petitioner for revocation of suspension and peacefully retire the petitioner from service on 29/02/2020 and to settle the retirement and pensionary benefits upon deduction of Rs.50,000/- from his retirement benefits, within a limited time frame.



WEB COPY



W.P.No.4371 of 2023

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.E.Sundaram
Additional Government Pleader

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 first and second respondents on 17.01.2023, seeking for a direction to revoke the order of suspension, permit him to retire from service and to settle his retirement and pensionary benefits. 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



W.P.No.4371 of 2023

Court will be justified in invoking its extraordinary powers under Article 226 of the 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 first and second respondents herein, to consider the petitioner's representation dated 17.01.2023 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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.

21.02.2023

Speaking/Non-speaking Order

Internet: Yes/No

Index: Yes/No

Neutral Citation: Yes/No

Sni



WEB COPY



W.P.No.4371 of 2023

M.S.RAMESH, J.

Sni

To

- 1.The Superintendent of Police,
Nagapattinam District, Nagapattinam.
- 2.The Deputy Inspector General of Police,
Thanjavur Range, Thanjavur.
- 3.The Additional Superintendent of Police,
Headquarters, Nagapattinam.
- 4.The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai – 4.

W.P.No.4371 of 2023

21.02.2023