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W.P.No.4524 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. 4524 of 2023

V.Ramesh Kumar

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Sathuvachari,
Vellore.

2.The Tahsildar,
Vellore.

3.Directorate of Government Examinations,
DPI Campus, College Road,
Nungambakkam,
Chennai – 600 006.

... 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 the original 10th mark sheet of the petitioner for the proper evaluation by calling for re-verification and consequently direct the 1st respondent to consider the petitioner's application dated 02.12.2020 under compassionate ground and further direct the respondents consider the petitioner representation dated 14.09.2022.



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For Petitioner : M/s.Reshmi Christy

For Respondents : M/s.E.Indhumathi,
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 first respondent on 14.09.2022, seeking for re-verification of educational certificate. 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



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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 respondent herein, to consider the petitioner's representation dated 14.09.2022 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

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M.S.RAMESH, J.

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To

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