



W.P.No.5969 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.5969 of 2023

T.Muruganantham
Petitioner

...

Vs.

1.The Director General of Police,
Tamilnadu Police Department,
Kamarajar Salai, Kailasapuram,
Mylapore, Chennai – 4.

2.The District Superintendent of Police,
Nagapatinam District,
Nagapattinam.

3.The Inspector of Police,
Vellipalayam Police Station,
Nagapattinam District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to fix the petitioner's seniority on par with his batch mates in the year 2012-2013 based on the petitioner's representations dated 13.10.2022 and reminder representation dated 03.01.2023 through registered post and in the light of the proceedings passed by the 1st respondent in C.No.3362/Rect 1(2)/2016 dated 11.11.2016 within the time limit that



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may be stipulated by this Court.

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For Petitioner : Mr.M.Pandian

For Respondents : Mr.Stalin Abhimanya,
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 respondent on 13.10.2022, seeking for a direction to fix the petitioner's seniority on par with his batch mates in the year 2012-2013. 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 respondent 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



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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 respondent herein, to consider the petitioner's representation dated 13.10.2022 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.

01.03.2023

Speaking/Non-speaking Order

Internet: Yes/No

Index: Yes/No

Neutral Citation: Yes/No

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M.S.RAMESH, J.

AT

To

- 1.The Director General of Police,
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