



W.P.No.5566 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.5566 of 2023

S.Chenniappan

...Petitioner

Vs

The Member Secretary
Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C.Nagar,
Chennai -600 003.
(Near Dental College and Chennai Fort
Railway Station)

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 20.06.2022 in pursuant to the appointment of petitioner as “Public Health and Preventive Medicine Department, TN Ministerial Service” in Group-IV Services for the year 2015-16 as per the provisional selection list issued by the respondent.

For Petitioner : Mr.G.Murugendran

For Respondent : Mr.Abrar Md.Abdullah



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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 20.06.2022, seeking to appoint him to the post selected in the Public Health and Preventive Medicine Department, Tamil Nadu Ministerial Service. 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 226 of Constitution of India and direct them to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 20.06.2022, on its own merits and pass appropriate orders in accordance with law, as expeditiously as possible. 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 concerned respondent to consider the same on its own merits.

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

27.02.2023

Index: Yes/No
hvk

To
The Member Secretary
Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C.Nagar,
Chennai -600 003.



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M.S.RAMESH,J.

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