



W.P.No.6162 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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- 1.Murugaiah
- 2.R.Settu
- 3.D.Sivaguru
- 4.M.Thangapandian
- 5.V.Aasupatham
- 6.D.Anandraj
- 7.A.Rajeswari
- 8.P.Venugopalan
- 9.N.Kathirvel
- 10.K.Venkatachalam
- 11.L.Balamurugan
- 12.C.Subramaniyan
- 13.K.Arunachalam
- 14.R.Chinnadurai
- 15.M.Sekar
- 16.N.Ramasamy
- 17.G.Sakthivel Murugan
- 18.S.Penni
- 19.S.Nagarajan
- 20.M.Karunakaran
- 21.T.Senthil Kumar
- 22.G.Saraswathi
- 23.N.Srinivasan
- 24.M.Varatharaju
- 25.R.Elumalai
- 26.T.Venkatesan
- 27.B.Ramesh Babu

...Petitioners



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Vs

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The Commissioner of Agriculture
Production/Secretary to Government,
Agriculture and Farmer Welfare Department,
Fort St. George, Chennai.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the representation submitted on 29.12.2022 and the consequential reminder on 01.02.2023 in pursuant for the promotion of Junior Assistant.

For Petitioners : Mr.K.P.Chandrasekaran

For Respondent : Ms.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 petitioners herein had given a joint representation to the respondent on 29.12.2022 and a reminder on 01.02.2023, seeking promotion to the post of Junior Assistant. Since the same was not considered, the present writ petition has been filed.



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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 respondent herein to consider the petitioners' representations dated 29.12.2022 and 01.02.2023 on its own merits and pass appropriate orders in accordance with law, within a period of twelve 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 petitioners and that it is open to the respondent to consider the same on its own merits.



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M.S.RAMESH,J.

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

02.03.2023

Index:Yes/No

Speaking order/Non-speaking order

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To

The Commissioner of Agriculture
Production/Secretary to Government,
Agriculture and Farmer Welfare Department,
Fort St. George, Chennai.

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