



W.P.No.5667 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.5667 of 2023

P.Manuvel

...Petitioner

Vs

- 1.The Director
Office of the Municipal Administration
and Water Supply Department,
Ezhilagam, Chepauk,
Chennai – 600 005.
- 2.The Regional Joint Director of
Municipal Administration,
Office of the Regional
Directorate of Municipal Administration,
Rajendra Chatram, Leigh Bazaar Road,
Arisipalayam, Salem District.
- 3.The Commissioner,
Tharamangalam Municipality,
Salem District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to Promote the petitioner and to appoint as Sanitary Supervisor in the office



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of the third respondent, in view of the petitioner's representation dated 25.08.2022.

For Petitioner : Mr.A.M.Esakkiappan
For R1 & R2 : Mr.R.U.Udaya Kumar
Additional Government Pleader
For R3 : Mr.L.P.Maurya

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 third respondent on 25.08.2022, seeking to consider his promotion and to appoint him as Sanitary Supervisor. 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



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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 second and third respondents herein to consider the petitioner's representation dated 25.08.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four 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.

24.02.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

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