



WEB COPY



W.P.No.13555 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.13555 of 2023

M.Shanthi

... Petitioner

Vs

1.The Commissioner,
Adi Dravidar Welfare Department,
Chepauk,
Chennai – 600 005.

2.The District Collector,
Collectorate,
Thirupur – 641 604.

3.Adi Dravidar and Pazhangudiyinar
Welfare Department,
Collectorate,
Thirupur – 641 604.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to give effect to the order transferring the petitioner from Government Boys Hostel, Kariyur to Government Girls Hostel at Udumalaipet referring to the Proceedings Na.Ka.No.1562/2022/Ka6 dated 16.12.2022 thereby appointing the petitioner as a Cook in the Government Girls Hostel at Udumalaipet.



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For Petitioner : Mr.A.Manimaran

For Respondents : Mr.S.Prabhakaran,
Government Advocate

ORDER

Heard Mr.A.Manimaran, learned counsel for the petitioner and Mr.S.Prabhakaran, learned Government Advocate for the respondents.

2.The petitioner herein had given a representation to the respondents on 28.12.2022 for transfer. 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 him 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 the 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 respondents herein to consider the petitioner's representation dated 28.12.2022, 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.

5. 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.

6. With the above direction, the Writ Petition stands disposed of.
No costs.

12.06.2023

Index: Yes/No
Speaking order/Non-speaking order
vga



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M.S.RAMESH,J.

vga

To

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