



W.P.No.14238 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.14238 of 2023

Kather Ali

...Petitioner

Vs

1.The Secretary to Government,
Revenue Department,
Secretariat, Chennai.

2.The Commissioner of Revenue
Administration and Disaster Management,
Ezhilagam, Chennai.

3.The District Collector,
Kallakurichi District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to place the petitioner in the senior list for the year 2009 in Serial No.21/78 (Backward Class Muslim) which was published on 10.05.2022 by the 3rd respondent for the post of Deputy Tashildar based on the representation dated 03.11.2022.



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For Petitioner : Ms.R.Poornima

For Respondents : Mr.S.Prabhakaran,
Government Advocate

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given a representation to the respondents on 03.11.2022 requesting to consider his name in the panel for the 2009 for the post of Deputy Tahsildar. The said representation has not been considered by the respondents till date and hence, the petitioner has preferred the present Writ Petition.

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



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invoking its extraordinary powers under Article 226 of the Constitution of the 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 03.11.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight 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 made by 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 disposed of.

No costs.

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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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