



W.P.No.18214 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18214 of 2023
and
W.M.P.No.17409 of 2023

Ponni

...Petitioner

Vs

The District Collector,
Chennai District,
Chennai.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the respondent in connection with the impugned order issued by the respondent in A4/37974/2021 dated 30.12.2021 and quash the same and further direct the respondent to reinstate the petitioner into service with all consequential and monetary benefits.

For Petitioner : Mr.R.Dhinesh Kumar

For Respondent : Mr.S.Prabhakaran,
Government Advocate



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ORDER

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

2. The prayer sought for in the present Writ Petition is for a direction to the respondent to quash the impugned suspension order with a consequential direction to reinstate the petitioner back in service. In this regard, the petitioner had given a representation to the respondent on 15.07.2022. The said representation has not been considered till date.

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 the 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 15.07.2022, in the light of G.O.(Ms).No.81, dated 04.08.2022, 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 made by the petitioner and that it is open to the respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

22.06.2023

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

To

The District Collector,
Chennai District,
Chennai.



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M.S.RAMESH,J.

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