



WEB COPY



W.P.No.15511 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.15511 of 2023

Dr.Alwin Nishanth

...Petitioner

Vs

1.The Secretary to the Government,
Animal Husbandry, Dairying
and Fisheries Department,
Secretariat, Fort St.George,
Chennai – 600 009.

2.The Director,
Department of Animal Husbandry and
Veterinary Services,
No.571, Anna Salai,
Nandanam, Chennai – 600 035.

3.The Chairman,
Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C. Nagar,
Park Town, Chennai – 600 003.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to consider representation sent by the petitioner dated 11.04.2023 given to the respondents thereby appoint the petitioner in the post of Veterinary Assistant Surgeon [VAS].



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For Petitioner : Mr.C.Veeraraghavan
For R1 & R2 : Mr.P.Baladhandayutham,
Special Government Pleader
For R3 : Mr.I.Abrar Md. Abdullah

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 11.04.2023 seeking for appointment as Veterinary Assistant Surgeon. The said representation has not been considered 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 third respondent herein to consider the petitioner's representation dated 11.04.2023 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 made by the petitioner and that it is open to the concerned respondent 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
hvk



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M.S.RAMESH,J.

hvk

To

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