



W.P.No.17351 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.17351 of 2023

A.Ravi

... Petitioner

Vs.

1.The Government of Tamil Nadu
Rep. by its Secretary, Social
Welfare Department,
Fort St.George, Chennai-9.

2.The Commissioner, Directorate
of Rehabilitation of Disabled,
Chepauk, Chennai-5.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to regularize the services of the petitioner from 12.05.1998 after completion of one year probation period and consequently pay the arrears of pay to the petitioner by considering the petitioner's representations dated 12.01.2023 to the 2nd respondent and 05.04.2023 to the 1st respondent.

For Petitioner : Mr.D.Soundar Raj
For Respondents : Mr.P.Sanjay Gandhi,
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 petitioner herein had given a representation to the second respondent on 12.1.2023 and another representation to the first respondent on 05.04.2023, seeking to regularize his services from 12.05.1998 and to pay consequential arrears of pay. Since the said representations have not yet been considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever representations of this nature are made to Statutory Authorities, there is a duty cast upon them to consider the same on their own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representations by the Statutory Authorities 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 the first respondent to consider the same



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within a stipulated time.

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4. In the light of the above observations, there shall be a direction to the first respondent herein, to consider the petitioner's representation dated 05.04.2023 on its own merits and pass appropriate orders in accordance with law, within a period of two 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 first respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

12.06.2023

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

Office to Note : Issue today

To

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RS/Sni



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M.S.RAMESH,J.

RS/Sni

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