



WEB COPY



W.P.No.17778 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17778 of 2023

T.Senthil Kumar

... Petitioner

Vs

- 1.The Government of Tamil Nadu,
represented by its Principal Secretary,
Home (Pol-VI) Department,
Secretariat, Fort St. George,
Chennai.
- 2.The Director General of Police,
Office of the Director General of Police,
Chennai.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Nilgiris District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioner for promotion to the post of SSI and disburse the withheld monetary benefits which are due to the petitioner by order D.O. 582/2020 dated 29.06.2020 and in D.O. 1053/2020 dated 16.12.2020 as sought vide representation lastly dated 12.03.2023.



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For Petitioner : Mr.S.Dinu Prashanth

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 12.03.2023 for promotion to the post of Special Sub Inspector of Police. 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



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of 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 respondents herein to consider the petitioners' representation dated 12.03.2023, 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.

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 petitioners 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.

16.06.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

vga

To

- 1.The Government of Tamil Nadu,
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