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W.P.No.18440 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**

W.P.No.18440 of 2023  
and WMP.No.17657 of 2023

Mani

... Petitioner

*Vs.*

The Revenue Divisional Officer,  
Thiruttani,  
Thiruvallur District.

... Respondent

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the respondents in connection with the impugned order issued by the respondent in Rc.2355/2022/A1 dated 24.06.2022 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. Dhineshkumar

For Respondent : Mr.P. Gurunathan,  
Additional Government Pleader



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## **ORDER**

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

2. The petitioner herein has given representation dated 15.05.2023 to the respondent, requesting to reinstate him into service. 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 the respondent 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 Constitution of India and direct them to consider the same within a stipulated time.



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4. Since no acknowledgement has been produced before this Court for the representation given by the petitioner, it would be appropriate that the petitioner be granted liberty to give a fresh consolidated representation, with a consequential direction to the respondent herein, to consider the same.

5. In the light of the above observations, the petitioner is granted liberty to give a fresh representation to the respondent herein, ventilating his grievances, along with a copy of this order. On receipt of the same, the respondent shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of the representation. 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.

6. With the above direction, this Writ Petition stands disposed of.  
No costs. Connected miscellaneous petition is closed.

**23.06.2023**

Speaking/Non-speaking  
Index:Yes/No

***Sni***



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**M.S.RAMESH,J.**

*Sni*

To

The Revenue Divisional Officer,  
Thiruttani,  
Thiruvallur District.

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23.06.2023