



WEB COPY



W.P.No.18761 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18761 of 2023

H.Arul Raja

...Petitioner

Vs

1.The Director General of Police,
Tamil Nadu Police Department,
Mahilpur, Chennai – 04.

2.The District Superintendent of Police,
QRCE+RMV, Near New Bus Stand,
Velipalayam, Elancheran,
Nagapattinam.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 25.05.2022 and consequently to fix the petitioner's seniority.

For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.P.Gurunathan
Additional Government Pleader



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ORDER

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

2. The petitioner herein had given a representation to the first respondents on 25.05.2022 seeking for fixation of seniority. Since the same has not yet been 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 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 first respondent herein to consider the petitioner's representation dated 25.05.2022, on its own merits and pass appropriate orders in accordance with law, within a period of six 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

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M.S.RAMESH,J.

hvk

To

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Mahilpur, Chennai – 04.
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