



WEB COPY



W.P.No.18543 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.18543 of 2023
and W.M.P.No.17776 of 2023

N. Balasubramani

... Petitioner

Vs.

1.The Collector,
Thiruvarur District,
Thiruvarur.

2.The Revenue Divisional Officer,
Thiruvarur,
Thiruvarur District.

3.The Tahsildar,
Thiruvarur Taluk,
Thiruvarur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records relating to the order of suspension issued in R.C.No.3357/2021/A2 dated 08.10.2021 on the file of the 2nd respondent and quash the same.

For Petitioner : Mr.V. Elangovan

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



W.P.No.18543 of 2023

ORDER

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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 has given representation to the second respondent on 12.10.2022, seeking to review and revoke the suspension order. 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 respondents 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.



W.P.No.18543 of 2023

WEB COPY

4. In the light of the above observations, there shall be a direction to the second respondent herein, to consider the petitioner's representation dated 12.10.2022, 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 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 concerned respondent to consider the same on its own merits.

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

23.06.2023

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Collector,
Thiruvarur District,
Thiruvarur.
- 2.The Revenue Divisional Officer,
Thiruvarur,
Thiruvarur District.
- 3.The Tahsildar,
Thiruvarur Taluk,
Thiruvarur District.

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