



W.P.No.18894 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.18894 of 2023

D.Dilli Babu

...Petitioner

Vs

1.The Tamil Nadu Public Service Commission,
Rep. by its Chairman,
TNPSC Road, V.O.C. Nagar,
Park Town, Chennai – 600 003.

2.The Transport Commissioner,
Transport Department,
Ezhilagam, Chepauk,
Chennai – 600 005.

3.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Transport Department,
Fort St. George, Chennai – 600 009.

4.The Controller of Examination,
TNPSC, Chennai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent herein to consider the petitioner's representation dated 20.05.2023 by going



W.P.No.18894 of 2023

through his marks, his experience certificate and other accompanying documents [his Application No.803001779 and his Regd.No.010002138] for direct recruitment to the post of Motor Vehicle Inspector Grade-II on the basis of the orders passed by this Court in W.P.No.12776 of 2020 batch.

For Petitioner : Mr.K.Rajasekaran
For R1 & R4 : Mr.I.Abrar Md.Abdullah
Standing Counsel
For R2 & R3 : Mr.P.Gurunathan
Additional Government Pleader

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 respondents on 20.05.2023, seeking for direct recruitment to the post of Motor vehicle Inspector Grade-II, in the light of the order of this Court in W.P.No.12776 of 2020 & batch dated 10.02.2023. Since the same has not yet been considered, the present Writ Petition has been filed.



W.P.No.18894 of 2023

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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.

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 20.05.2023, 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. 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.



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W.P.No.18894 of 2023

M.S.RAMESH,J.

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

No costs.

27.06.2023

Index: Yes/No

Speaking order/Non-speaking order

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To

1.The Chairman,
Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C. Nagar,
Park Town, Chennai – 600 003.

2.The Transport Commissioner,
Transport Department,
Ezhilagam, Chepauk,
Chennai – 600 005.

3.The Secretary to Government,
State of Tamil Nadu,
Transport Department,
Fort St. George, Chennai – 600 009.

4.The Controller of Examination,
TNPSC, Chennai.

W.P.No.18894 of 2023