



W.P.No.19183 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19183 of 2023

S. Padmanaban

... Petitioner

Vs.

The Secretary,
Tamil Nadu Public Service Commission,
Brayer Bridge Salai,
Chennai – 600 003.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to pass orders on the petitioner's representation dated 05.04.2023.

For Petitioner : Mr.P. Wesley Isaac

For Respondent : Mr.I. Abrar Md. Abdullah,
Standing Counsel

ORDER

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



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2. The petitioner herein has given representation to the respondent on 05.04.2023, seeking for grant of his service certificate as a daily wages for the period from 01.03.1993 to 02.07.1995. 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.

4. In the light of the above observations, there shall be a direction to the respondent herein, to consider the petitioner's representation dated



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05.04.2023, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) 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.

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Index: Yes/No

Speaking/Non-speaking order

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To

The Secretary,
Tamil Nadu Public Service Commission,
Brayer Bridge Salai,
Chennai – 600 003.



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M.S.RAMESH,J.

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