



W.P.No.18680 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.18680 of 2018

and

W.M.P.No.22029 of 2018

R.Jegathala Prathaban

.. Petitioner

/versus/

1.The Director of Agriculture,
Agriculture Department,
Chepauk, Chennai 600 005.

2.The Chief Engineer (A.E),
Agricultural Engineering Department,
No.487, Anna Salai,
Nandanam, Chennai 600 018.

3.The Executive Engineer,
Agricultural Engineering Department,
Dharmapuri,
Dharmapuri District.

4.The Assistant Director of Agriculture,
Morappur,
Dharmapuri District.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying to issue a Writ of Mandamus, directing the respondents herein to



W.P.No.18680 of 2018

reinstate the petitioner as driver in the office of the 3rd respondent pursuant to the order of acquittal dated 07.09.2017 in C.C.No.50/2015 on the file of the learned District Munsif cum Judicial Magistrate, Pappyreddypatti, Dharmapuri District, as per his representations dated 16.10.2017 and 12.12.2017 with all attended benefits including monetary benefits in accordance with law.

For Petitioner : Mr.J.Selvarajan
For Respondents : Mr.T.Chezhian, AGP

ORDER

The petitioner herein had given representations dated 16.10.2017 and 12.12.2017 seeking a direction to reinstate him as Driver in the office of the 3rd respondent with all attended benefits including monetary benefits. Since the said representations were not considered, the present Writ Petition has been filed.

2. 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



W.P.No.18680 of 2018

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.

3. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 16.10.2017, which was forwarded by the first respondent, on its own merits and pass appropriate orders, in accordance with law, within a 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 of the petitioner and that it is open to the respondents to consider the same on its own merits.

4. With the above direction, this Writ Petition stands disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

16.02.2023

Speaking/Non-speaking
Index:Yes/No
ari



W.P.No.18680 of 2018

WEB COPY

To:

- 1.The Director of Agriculture,
Agriculture Department,
Chepauk, Chennai 600 005.
- 2.The Chief Engineer (A.E),
Agricultural Engineering Department,
No.487, Anna Salai,
Nandanam, Chennai 600 018.
- 3.The Executive Engineer,
Agricultural Engineering Department,
Dharmapuri,
Dharmapuri District.
- 4.The Assistant Director of Agriculture,
Morappur,
Dharmapuri District.



WEB COPY



W.P.No.18680 of 2018

M.S.RAMESH,J.

ari

W.P.No.18680 of 2018
and
W.M.P.No.22029 of 2018

16.02.2023