



W.P.No.28337 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.28337 of 2022

S.Sivagnanavelu

... Petitioner

Vs

1.The District Collector,
Villupuram District,
Villupuram.

2.The Personal Assistant (General) to Collector,
Villupuram District,
Villupuram.

3.The Sub Collector,
Thindivanam,
Villupuram District.

4.District Revenue Officer,
Villupuram District,
Villupuram.

5.The Tahsildar,
Tindivanam Taluk Office,
Villupuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent, the



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Personal Assistant (General) to Collector, Villupuram District to consider and pass orders on the petitioner's representation, dated 12.09.2022 in the light of the order, passed by the Hon'ble Supreme Court of India in Ajay Kumar Chaudri V. Union of India reported in 2015(2) SCALES 432 to revoke the suspension order, dated 23.06.2022, having reference R.C. No.A4/19324/2022 on the file of the Assistant (General) to Collector, Villupuram.

For Petitioner : Mr.E.P.Senniyangiri

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

ORDER

Heard Mr.E.P.Senniyangiri, learned counsel for the petitioner and Mr.P.Gurunathan, learned Additional Government Pleader for the respondents.

2.The petitioner herein had given a representation to the respondents on 12.09.2022 for revocation of suspension order. Since the said representation was not considered, the present writ petition has been filed.



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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 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 respondents herein to consider the petitioner's representation dated 12.09.2022, on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5.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.



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M.S.RAMESH,J.

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6. With the above direction, the Writ Petition stands disposed of. No

costs.

14.06.2023

Index: Yes/No

Speaking order/Non-speaking order

vga

To

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