



W.P.No.157 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.157 of 2022

1. R.Valli

2. P.Suryagandhi

... Petitioners

Vs

1. The state of Tamil Nadu,
Rep. by Additional Chief Secretary to Government,
Home Department, Secretariat,
Chennai – 600 009.

2. The Additional Director General of Police,
Inspector General of Prison,
Whannels Road,
Egmore, Chennai – 600 008.

3. The Superintendent,
Central Prisons,
Thiruchirappalli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st and 2nd respondents to dispose of the petitioners representation dated 26.11.2021 and received by them on 29.11.2021 and direct the respondents to regularize the service of the petitioners with effect from their joining date i.e.,



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02.09.2000 and grant monetary benefits with effect from the date of filing of writ petition i.e. on 29.06.2012.

For Petitioners : Mr.A.M.Packianathan Easter

For Respondents : Mr.P.Baladhandayutham
Special Government Pleader

ORDER

Heard Mr.A.M.Packianathan Easter, learned counsel for the petitioners and Mr.P.Baladhandayutham, learned Special Government Pleader for the respondents.

2.The petitioners herein had given a representation to the respondents on 26.11.2021 for regularization of their service. 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 him to consider the same on its own merits and pass appropriate orders in one



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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. With the above observations, there shall be a direction to the respondents herein to consider the petitioners' representation dated 26.11.2021, on its own merits and pass appropriate orders in accordance with law, in the light of the orders passed by this Court in W.P. No.755 of 2007 dated 17.12.2018, within a period of eight 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 petitioners and that it is open to the respondents to consider the same on its own merits.



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M.S.RAMESH,J.

vga

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

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Index: Yes/No
Speaking order/Non-speaking order
vga

To

1. The Additional Chief Secretary to Government,
Home Department, Secretariat,
Chennai – 600 009.
2. The Additional Director General of Police,
Inspector General of Prison,
Whannels Road,
Egmore, Chennai – 600 008.
3. The Superintendent,
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