



W.P.No.29042 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.29042 of 2023

M.Santhosh Kumar

...Petitioner

Vs

The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
Park Town,
Chennai-600 003.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to consider the petitioner's representation dated 03.08.2023 and to give appointment to the petitioner in Combined Civil Service -Group IV Services.

For Petitioner : Mr.J.Deliban

For Respondent : Mr.R.Baranidharan
Standing Counsel

ORDER

Heard Mr.J.Deliban, learned counsel for the petitioner and Mr.R.Baranidharan, learned Standing Counsel for the respondent. With the



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consent of both sides, the main writ petition has been taken up for final disposal.

2. The petitioner herein has given a representation to the respondent 03.08.2023, seeking for a direction to give appointment to the petitioner in the Combined Civil Service Group IV. 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



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the respondent herein to consider the petitioner's representation dated 03.08.2023 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 of the petitioner and that it is open to the 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 order/Non-speaking order
sr
To

The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
Park Town,
Chennai-600 003.



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M.S.RAMESH,J.,

sr

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