



WEB COPY



W.P.No.29175 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.29175 of 2023
and WMP No.28779 of 2023

P.Amalraj

...Petitioner

Vs

The Sub Collector,
Tindivanam Revenue Division,
Tindivanam,
Villupuram District

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the respondent in the proceedings made in R.C.No.A1/1043/2020 dated 18.02.2020, quash the same and direct the respondent to permit the petitioner to continue in service as VAO in Attiyur village, Gingee Taluk, Villupuram District as per petitioner's representations dated 10.10.2022 and 07.08.2023.

For Petitioner : Mr.K.V.Muthu Visakan

For Respondents : Mr.V.P.R.Elamparithi
AGP



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ORDER

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Heard Mr.K.V.Muthu Visakan, learned counsel for the petitioner and Mr.V.P.R.Elamparithi, learned Additional Government Pleader for the respondent. With the consent of both sides, the main writ petition has been taken up for final disposal.

2. The petitioner herein has given representations to the respondent dated 10.10.2022 and 07.08.2023, seeking for a direction to continue the petitioner in service as Village Administrative Officer in Attiyur Village, Gingee Taluk, Villupuram District. Since the said representations were 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



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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 representations dated 10.10.2022 and 07.08.2023 on its own merits and pass appropriate orders in accordance with law, within a period of two 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. Consequently, connected miscellaneous petition is closed.

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



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M.S.RAMESH,J.,

sr

To

The Sub Collector,
Tindivanam Revenue Division,
Tindivanam,
Villupuram District

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09.10.2023