



W.P.No.29737 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.29737 of 2023

Nadarajan

...Petitioner

Vs

- 1.The Commissioner of Agriculture,
Agriculture Directorate,
Chepauk,
Chennai – 600 005.
- 2.The Joint Director of Agriculture,
O/o The Joint Director of Agriculture,
Near District Collector Camp Office, Thiruvarur,
Thiruvarur District.
- 3.The Assistant Director of Agriculture,
Uzhavar Santha, Tiruvarur,
Thiruthuraipoondi,
Tiruvarur District.
- 4.The Agriculture Officer,
Farm Management,
Devambalpattinam,
Thiruthuraipoondi,
Tiruvarur District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider and dispose petitioner's representation dated 04.08.2023 and directing the respondents to act upon the proceedings vide Lr.No.E4/16050/2023 dated 27.06.2023 and to regularize my post as Security Guard in the respondents Department within a stipulated time as prescribed by this Court.

For Petitioner : Mr.R.Balaguru Swamy

For Respondents : Mrs.V.Yamuna Devi,
Special Government Pleader

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioner herein has given a representation to the first respondent on 04.08.2023, seeking to include his name in the list of



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employees who have completed 10 years in daily wages list and consequently, to regularize him in the post of Security Guard in the respondents Department. 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 on 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 him to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 04.08.2023, pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this



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order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and that it is open to the concerned 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

Internet:Yes/No

Neutral Citation:Yes/No

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To

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M.S.RAMESH,J.

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