



W.P.No.29751 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.29751 of 2023

A. Govindasamy

...Petitioner

Vs

1.The Secretary to the Government,
Animal Husbandry Department,
Fort St. George, Secretariat,
Chennai – 600 009.

2.The Director,
Animal Husbandry Department,
Teynampet, Chennai.

3.The Zonal Joint Director,
Animal Husbandry Department,
Kanchipuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 09.11.2017 and 05.08.2022 and



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thereby direct the respondents to reinstate the petitioner with effect from 18.04.2003 with all consequential monetary and other service benefits.

For Petitioner : Mr.Perambur E Palani

For Respondents : Mr.M.Alagu Gowtham,
Government Advocate

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 representations to the respondents on 09.11.2017 and 05.08.2022, seeking to reinstate him into service in the Animal Husbandry Department with effect from 18.04.2003 with all consequential monetary and other service benefits. Since the said representations were not considered, the present Writ Petition has been filed.



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3. It is needless to point out that whenever representations 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 respondents herein to consider the petitioner's representations dated 09.11.2017 and 05.08.2022, pass appropriate orders in accordance with law, within a period of eight (8) 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 made by the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



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M.S.RAMESH,J.

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5. With the above direction, the Writ Petition stands disposed of.

No costs.

13.10.2023

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

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To

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Fort St. George, Secretariat,
Chennai – 600 009.

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