



W.P.No.32013 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32013 of 2023

K.Anbarasu

... Petitioner

Vs.

1.The Director General of Police
Tamil Nadu Police Department
Mylapore, Chennai 600 004.

2.The Tamil Nadu Uniformed Services
Recruitment Board, Rep.by its
Member Secretary, Old Commissioner
of Police Office Campus, Pantheon Road
Egmore, Chennai 600 008.

3.The Superintendent of police
Thiruvannamalai District, Thiruvannamalai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and pass order on the petitioner's representation dated 07.07.2023 in regard to the appointment as Grade II Police Constable in the light of the observation made in W.P.(MD) No.8072 of 2020 and batch cases dated 09.04.2021 within a stipulated time as fixed by this Hon'ble Court.



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For Petitioner : Mr.C.Moorthy
For Respondents : Mrs.V.Yamuna Devi, [R1 & R3]
Special Government Pleader
Mr.P.Kumaresan,
Additional Advocate General, Assisted by
Mr.D.Sowmi Dattan, Standing Counsel
-for R2

ORDER

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

2. The petitioner herein has given representation to the respondents on 07.07.2023, seeking for considering his appointment as Grade II Police Constable in the light of the observation made in W.P.(MD) No.8072 of 2020 and batch cases dated 09.04.2021. Since the said representation has not been considered till date, 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 them 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



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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 the first respondent herein, to consider the petitioner's representation dated 07.07.2023, in the light of the observation made in W.P.(MD) No.8072 of 2020 and batch cases dated 09.04.2021, on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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 respondents to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs. Connected miscellaneous petition is closed.

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Index:Yes/No

Speaking order/Non-speaking order

KST



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M.S.RAMESH,J.

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