



W.P.No.31204 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.31204 of 2023

R. Nagarajan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Commercial Taxes and Registration Department,
Fort St. George,
Chennai – 28.

2.The Inspector General of Registration,
Kamarajar Salai,
Santhome,
Chennai – 28.

... 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 petitioner's last representation dated 25.10.2022 in respect of alteration of date of birth in the Service Register as 25.11.1964 instead of 22.04.1964 within a time limit that may be fixed by this Court.



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For Petitioner : Ms.K. Jenitha

For Respondents : Mr.P. Ganesan,
Government Advocate

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 several representations to the respondents. His last representation dated 25.10.2022 to the respondents, seeking for alteration of his date of birth in the Service Register has not been considered till date and hence, the present Writ Petition.

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 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 respondents herein, to consider the petitioner's representation dated 25.10.2022, on their 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 concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.
No costs.

31.10.2023

Index: Yes/No
Speaking order/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Secretary to Government,
Commercial Taxes and Registration Department,
Fort St. George,
Chennai – 28.
- 2.The Inspector General of Registration,
Kamarajar Salai,
Santhome,
Chennai – 28.

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