



WEB COPY



W.P.No.31307 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.31307 of 2023

T.Kothandapani

...Petitioner

-Vs-

1. The Director General of Police,
O/o. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.
2. The Commissioner of Police,
Greater Chennai Police,
EVK Sampath Road, Vepery,
Chennai 600 007.
3. The Joint Commissioner of Police,
O/o. The Joint Commissioner of Police,
South Zone, St. Thomas Mount,
Chennai 600 016.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents to consider the representation of the petitioner dated 31.01.2023 for grant of promotion to the petitioner for the post of Special Sub-Inspector of Police in par with Memo dated 14.07.2010 with all consequential services and monetary benefits.



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For Petitioner : Mr.R.Amardeep
For Mr.Tamizh Law Firm

For Respondents : Mrs.V.Yamuna Devi
Spl.G.P.

ORDER

Heard Mr.R.Amardeep, learned counsel for the petitioner and Mrs.V.Yamuna Devi, learned Special Government Pleader for the respondents. With the consent of both sides, the main writ petition has been taken up for final disposal.

2. The petitioner herein has given a representation to the respondents on 31.01.2023 seeking for a direction to grant promotion to the petitioner for the post of Special Sub-Inspector of Police in par with Memo dated 14.07.2010 with all consequential services and monetary benefits. 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 upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other,



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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 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 second respondents to consider the representation of the petitioner dated 31.01.2023 on its own merits and pass appropriate orders in accordance with law, within a period of four 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 is disposed of. No costs.

01.11.2023

Index: Yes/No
Internet: Yes/No
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M.S.RAMESH,J.

SR

To

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Mylapore, Chennai 600 004.
2. The Commissioner of Police,
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