



W.P.No.33341 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.33341 of 2023
and W.M.P.No.33069 of 2023

G. Kamalakannan

... Petitioner

Vs.

1.The Secretary,
Tamil Nadu Public Service Commission,
TNFSC Road,
Park Town,
VOC Nagar,
Chennai – 600 003.

2.The Transport Commissioner,
Chepauk,
Chennai – 600 005.

... 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 the representation of the petitioner dated 17.07.2023 and to consider the petitioner for selection as Motor Vehicles Inspector Grade-II.



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For Petitioner : Mr.K. Shanmugakhani
For R1 : Mrs.G. Hema,
Standing Counsel
For R2 : Mr.M. Bindran,
Additional Government Pleader

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 a representation to the respondents on 17.07.2023, requesting for the status of his application and the verification of his certificates. 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



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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 respondents herein, to consider the petitioner's representation dated 17.07.2023, 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. Connected miscellaneous petition is closed.

28.11.2023

Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

- 1.The Secretary,
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