



WEB COPY



W.P.No.31713 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.31713 of 2023

R.T.Bhalakrishnan
Petitioner

...

Vs.

1.State rep. by its,
Principal Secretary to Government,
Handloom, Handicrafts, Textiles &
Khadi Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2.The Chief Executive Officer,
Tamil Nadu Khadi and Village
Industries Board,
Kuralagam, Chennai - 600 108.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the representations of the petitioner dated 24.08.2020 and 15.09.2023 and direct the respondents to regularize the service of the petitioner for the period from 2008 to 2016 worked as Temporary Typist and provide all the benefits for the period from 2008 to 2016.



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For Petitioner : Mr.V.Elangovan

For Respondents : Mr.S.K.Bose,
Standing Counsel

ORDER

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

2. The prayer sought for in this Writ Petition is to direct the second respondent to consider the petitioner's representations dated 24.08.2020 and 15.09.2023 seeking for regularization of his services in the post of Typist, together with all service and monetary benefits.

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 the 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 respondent herein to consider the petitioner's representations dated 24.08.2020 and 15.09.2023, on their own merits and 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.

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

No costs.

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Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

- 1.The Principal Secretary to Government,
Handloom, Handicrafts, Textiles &
Khadi Department,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The Chief Executive Officer,
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