



W.P.No.32255 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32255 of 2023

D.Paulraj

...Petitioner

Vs

1. State represented by

Principal Secretary to the Government

Commercial Taxes and Registration Department

Fort St.George

Chennai – 600 009

2. Inspector General of Registration

O/o. The Inspector General of Registration

Chennai - 28

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing respondents to consider the representation dated 21.10.2022 given by the writ petitioner and to pass appropriate orders in the facts and circumstances of the case as early as possible.

For Petitioner : Mr.Naveenathakrishnan

For Respondents : Mrs.V.Yamuna Devi
Special Government Pleader



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ORDER

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Heard Mr.Naveenathakrishnan, learned Senior counsel appearing on behalf of counsel on record for the petitioner and Mrs.V.Yamuna Devi, learned Special Government Pleader appearing for the Respondents.

2. The petitioner herein had given a representation to the respondents on 21.10.2022 to promote the writ petitioner to the post of Sub-Registrar Grade II by rectifying the mistake in the 2019-2020 panel for promotion.

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 invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 21.10.2022, on its own merits and pass appropriate orders in accordance with law within a period of eight 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.

10.11.2023

Index:Yes/No

Speaking order/Non-speaking order

gpa



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To
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1. The Principal Secretary to the Government
Commercial Taxes and Registration Department
Fort St.George
Chennai – 600 009
2. Inspector General of Registration
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M.S.RAMESH,J.

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