



WEB COPY



W.P.No.32759 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32759 of 2023

G.Sri Nandhini

...Petitioner

Vs

1. The Secretary to Government of Tamilnadu
Revenue Department
Secretariat, Chennai

2. The District Collector
Thirupur District
Collectorate Office - Thirupur

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the second respondent to consider and dispose of the representation dated 06.10.2023 seeking to include the petitioner name in the panel list of Deputy Tahsildar of the year 2022.

For Petitioner : Mr.T.N.Murali Moghan

For Respondents : Mr.P.Ganesan
Govt. Advocate for Respondents 1 and 2

ORDER



W.P.No.32759 of 2023

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2. Heard Mr.T.N.Murali Moghan, learned counsel for the petitioner and Mr.P. Ganesan, learned Government Advocate appearing for Respondents 1 and 2.

3. The petitioner herein had given a representation to the respondents on 06.10.2023 seeking to include the name of the petitioner in the panel of list of candidates eligible for promotion to the post of Deputy Tahsildar as the allegation against petitioner has not been substantiated and the case registered in Crime No.6 of 2020 has been withdrawn by the Vigilance and Anti-Corruption Department. Since the said representation was not considered by the respondents, the present writ petition has been filed.



W.P.No.32759 of 2023

WEB COPY

4. 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.

5. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representations dated 06.10.2023, on its own merits and pass appropriate orders in accordance with law within a period of six 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.



W.P.No.32759 of 2023

WEB COPY

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

No costs. Consequently, the connected miscellaneous petition is closed.

21.11.2023

Index:Yes/No

Speaking order/Non-speaking order

gpa

To

1. The Secretary to Government of Tamilnadu
Revenue Department
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W.P.No.32759 of 2023

M.S.RAMESH,J.

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W.P.No.32759 of 2023

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