



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 11.12.2023**

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**

**W.P.No.34019 of 2023**

C.Krishnamurthy

... Petitioner

Vs.

1.The Secretary to the Government,  
Adi Dravider and Tribal Welfare Department,  
Government of Tamil Nadu,  
Secretariat, Chennai – 600 009.

2.The Director,  
Office of the Adi Dravider Welfare,  
Government of Tamil Nadu,  
Ezhilagam, Chennai - 600 105.

3.The Adi Dravidar Welfare Officer,  
Tiruvannamalai District,  
Tiruvannamalai.

4.The Special Tahsildar,  
Adi Dravidar and Tribal Welfare Department,  
Polur Taluk, Tiruvannamalai District.

... Respondents

**Prayer:** Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to give promotion to the petitioner from the lower post to Junior Assistant as per GO Ms. No 1499 dated 03.08.1989 on the basis of the representation given by the petitioner dated 21.09.2023.



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For Petitioner : Mr. S.Lawrence Peter

For Respondents : M/s. Yamuna Devi  
Special 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 prayer sought for in this Writ Petition is for a direction to the 2<sup>nd</sup> respondent to give promotion to the petitioner from the lower post to Junior Assistant as per G.O(Ms). No 1499, Labour and Employment (O1) Department dated 03.08.1989 on the basis of the representation given by the petitioner dated 21.09.2023.

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 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 2<sup>nd</sup> respondent herein to consider the petitioner's representation dated 21.09.2023, 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 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.

**11.12.2023**

Jeni  
Index : Yes / No  
Neutral Citation : Yes / No  
Speaking order / Non-speaking order



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To

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Government of Tamil Nadu,  
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**M.S.RAMESH, J.**

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