



W.P.No.33333 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.33333 of 2023

A.Senthurpandian
S/o.M.Ayeraramu

...Petitioner

Vs

1. The Principal Secretary
Commercial Taxes and
Registration Department
Government of Tamil Nadu
Secretariat, St.George Fort
Chennai.

2. Inspector General of Registration
Santhome High Road
Chennai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to consider the representation dated 10.08.2023 given by the writ petitioner to the respondents.

For Petitioner	:	Mr.A.Navaneetha Krishnan Senior Counsel
For Respondent	:	Mr.P.Ganesan Government Advocate



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ORDER

Mr.P.Ganesan, learned Government Advocate accepts notice for respondents. 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 10.08.2023, seeking to fix his seniority as per the direction of the judgment of the Hon'ble Supreme Court which is applicable to SC, ST and MBC candidates. 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 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 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 10.08.2023, on its own merits and pass appropriate orders in accordance with law, within a period of six (6) 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.

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Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes/No

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M.S.RAMESH,J.

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To

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Commercial Taxes and
Registration Department
Government of Tamil Nadu
Secretariat, St.George Fort
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2. Inspector General of Registration
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