



WEB COPY



W.P.No.33494 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2023

CORAM:

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

**W.P.No.33494 of 2023**

D.Vanitha

W/o.E.Loganathan

...Petitioner

Vs

1. State of Tamil Nadu  
Rep. by its Principal Secretary to Government  
School Education Department  
Fort St.George, Secretariat  
Chennai-600 009.

2. The Director of Public Libraries  
Directorate of Public Libraries  
735, Anna Salai  
Chennai-600 002.

3. The District Library Officer  
Villupuram District  
Villupuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation submitted by the petitioner dated 12.10.2023 for granting promotion to the post of Grade III Librarian under Physically Handicapped quota in accordance with G.O.Ms.No.29, Welfare of



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Differentially Abled Persons Department dated 03.11.2022 and consequently, promote the petitioner to the post of Grade III Librarian within a time frame.

For Petitioner : Mr.S.Nedunchezhiyan  
For Respondents : Ms.V.Yamuna Devi  
Special Government Pleader

**ORDER**

Ms.V.Yamuna Devi, learned Special Government Pleader accepts notice for the 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 12.10.2023, seeking promotion to the post of Grade III Librarian under Physically Handicapped quota in accordance with G.O.Ms.No.29, Welfare of Differentially Abled Persons Department dated 03.11.2022. 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



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amount to dereliction of duty and hence, this Court will be justified in 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 12.10.2023, on its own merits and pass appropriate orders in accordance with law, within a period of three months 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.

**29.11.2023**

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

*mk*

**M.S.RAMESH,J.**



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