



WEB COPY

W.P.No.34034 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.34034 of 2023

and

W.M.P.No.33909 of 2023

T.Pichanandam

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Fort St. George,
Chennai – 600 009.

2. The Director of Adi Dravidar Welfare,
Chepauk, Chennai – 600 005.

... Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to dispose the petitioner representation dated 19.07.2023 and directing the 2nd respondent include the petitioner name in Na.Ka.No.A1/17580/2017 dated 03.10.2018 with effect from 01.01.2017 Higher Secondary School Head Master final promotion panel list and direct the 2nd respondent to give the Monetary Benefits to the petitioner.



For Petitioner : Mr.D.Dhayalan

For Respondents : M/s.V.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 2nd respondent to dispose the petitioner representation dated 19.07.2023 and include the petitioner name in Na.Ka.No.A1/17580/2017 dated 03.10.2018 with effect from 01.01.2017 for Higher Secondary School Head Master final promotion panel list and further, direct the 2nd respondent to give the monetary benefits to the petitioner. Since the said representation was not considered, the petitioner has preferred the present Writ Petition.

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 2nd respondent herein to consider the petitioner's representation dated 19.07.2023, 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. Consequently, connected Miscellaneous Petition is closed.

11.12.2023

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



W.P.No.34034 of

To

1. The Secretary to Government of Tamil Nadu,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Fort St. George,
Chennai – 600 009.
2. The Director of Adi Dravidar Welfare,
Chepauk, Chennai – 600 005.



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