



W.P.No.33791 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.33791 of 2023

T.Malarvizhi

... Petitioner

Vs.

1. Tamil Nadu Public Service Commission

Rep. by its Secretary

TNPSC Road, V.O.C.Nagar,

Park TWon

Chennai-03

2. The Controller of examination

Tamil Nadu Public Service Commission

TNPSC Road, V.O.C.Nagar,

Park Town,

Chennai-03.

3. Deputy Secretary

Tamil Nadu Public Service Commission

TNPSC Road, V.O.C.Nagar,

Park Town,

Chennai-03.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 3rd respondent made in memorandum no:783/APD-B-GR-II/2023 dated 29.03.2023 and quash the same and consequently direct the respondents to treat the petitioners application no:2230200621 and registered in Registration no:0603023118 as a Destitute Widow category.

For Petitioner : Ms.G.Selvi George

For Respondents : Mr.P. Kumaresan
Additional Advocate General

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioner herein had given a representation to the respondents on 31.08.2023, seeking to allot her under destitute widow category for appointment to the post of Combined Civil Services (Group-II/II A services). Since the said representation was not considered, the present writ petition has been filed.

3. Though the prayer sought for by the petitioners in the present



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writ petition is for a larger relief, the learned counsel appearing on behalf of the petitioners has submitted that it would suffice, if the representation of the petitioner, dated 31.08.2023, is directed to be disposed of by the respondent, on merits, within a specified period.

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 the respondents 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 Constitution of 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 representation dated 31.08.2023 on its own merits and pass appropriate orders in accordance with law, within a period of two (2) weeks from the date of receipt of a



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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.

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

No costs.

06.12.2023

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

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To

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M.S.RAMESH,J.

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