



WEB COPY



W.P.No.34478 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.34478 of 2023

N.Iniyavan

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Youth Welfare and Sports Development Department,
Namakkal Kavignar Maaligai,
Fort St. George, Chennai- 600 009.
2. The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C. Nagar,
Park Town, Chennai- 600 003
Tamil Nadu.
- 3.The Member Secretary,
Sports Development Authority of Tamil Nadu,
116-A, Periyar EVR High Road,
Nehru Park, Chennai- 600 084.
4. The Directorate of Animal Husbandry
and Veterinary Services,
Integrated Animal Husbandry and
Fisheries Department Office, Complex,
Veterinary Hospital Compound,
Nandanam, Chennai- 35.



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5. Tamil Nadu Cooperative Milk Producers Federation (TCMPF)

Aavinillam No.3A, Pasumpon Muthuramalingar Salai,
Nandanam, Chennai- 600 035.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd Respondent/TNPSC to implement the G.O.Ms.No.6, Youth Welfare and Sports Development (S1) Department 20.02.2019, to fill up the 3% sports quota in the notification No.34/2022 dated 18-11-2022 & notification No.16/2023 dated 20-09-2023, and consider the application of the petitioner under Sports category by considering the petitioner's representation dated 14-02-2023.

For Petitioner : Ms.Usha Ramman

For R1, R3 to R5 : Mr.Bindran,
Additional Government Pleader

For R2 : Mr.I.Abrar Md. Abdullah,
Standing Counsel

ORDER

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



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2. The petitioner herein has given a representation to the respondents on 14.02.2023, seeking to provide separate reservation for sportsman in the direct recruitment of Veterinary Assistant Surgeon. 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 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 second respondent herein, to consider the petitioner's representation dated 14.02.2023, on its own merits and pass appropriate



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orders in accordance with law, within a period of one (1) week 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

Internet: Yes/No

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M.S.RAMESH,J.

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