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W.P.No.34661 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.34661 of 2023

P.Jayashankar

...Petitioner

Vs

The Director General of Police
and Head of Police Force
Law & Order, Tamil Nadu
Mylapore, Chennai – 4

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pass orders on the memorial submitted by the petitioner dated 21.03.2023 to review the order passed in Na.Ka.No.Aa No.1/PR-18/2015 dated 15.07.2015 within a reasonable time frame.

For Petitioner : Mr.M.Muthappan

For Respondent : Mr.M.Bindran
Additional Government Pleader



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ORDER

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

2. Heard Mr.M.Muthappan, learned counsel for the petitioner and Mr.M.Bindran, learned Additional Government Pleader appearing for the respondents.

3. The petitioner herein had given a representation dated 21.03.2023 to the respondent to review the order passed in Na.Ka.No.Aa No.1/PR-18/2015 dated 15.07.2015. Since the said representation was not considered, the present writ petition has been filed.

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 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 the Constitution of the 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 respondent herein to consider the petitioner's representation dated 21.03.2023, 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 made by 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. Consequently, the connected miscellaneous petition is closed.

19.12.2023

Index: Yes/No
Speaking order/Non-speaking order
gpa

To
The Director General of Police
and Head of Police Force
Law & Order, Tamil Nadu
Mylapore, Chennai – 4



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M.S.RAMESH,J.

gpa

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