



WEB COPY



W.P.Nos.34456, 34458, 34461, 34462, 34463 & 34466 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.Nos.34456, 34458, 34461, 34462, 34463 & 34466 of 2023

WP.No.34456/2023

C. Venkatesan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Secretary to Government,
Health & Family Welfare Department,
Fort St. George, Secretariat,
Chennai – 600 009.

2.The Director,
Public Health & Preventive Medicine,
Teynampet,
Chennai – 600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent herein to sanction monetary benefits and all consequential benefits to the petitioner for the post of Health Inspector Grade-I from 26.07.2016 by considering petitioner's representation dated 23.11.2023 within a time frame as fixed by this Court.



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For Petitioner : Mr.A. Saravanan

For Respondents : Mrs.V. Yamuna Devi,
Special Government Pleader

COMMON ORDER

With the consent of all the parties, these Writ Petitions are taken up for final disposal at the admission stage itself.

2. The petitioners herein have given representations to the second respondent on 23.11.2023 and 27.10.2023 respectively, seeking to sanction monetary benefits and all consequential benefits for the post of Health Inspector Grade-I from 26.07.2016. The said representations have not been considered till date.

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 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 second respondent herein to consider the petitioners' representations dated 23.11.2023 and 27.10.2023, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) 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 made by the petitioners and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petitions stand disposed of.

No costs.

13.12.2023

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Secretary to Government of Tamil Nadu,
Health & Family Welfare Department,
Fort St. George, Secretariat,
Chennai – 600 009.
- 2.The Director,
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