



W.P.Nos.34968 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.Nos.34968 of 2023

M.Munirasu

... Petitioner

Vs.

1.The District Collector,
Dharmapuri District.

2.The Thasildar,
Nallampalli Taluk,
Dharmapuri District.

3.The District of College Education,
Directorate of Collegiate Education,
No.577, Anna Salai, Saidapet,
Chennai – 600 015.

4.The Regional Joint Director Dharmapuri District,
Office of the Regional Joint Director of Collegiate Education,
Government Arts College, Dharmapuri Campus,
Dharmapuri – 636 705.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to revise this petitioner appointment as Junior Assistant from the date of his appointment i.e., 07.06.2019, consequentially direct the 2nd respondents to give promotions by taking into consideration of the service rendered by



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the petitioner along with back wages and other monetary benefits based on his representation dated 21.10.2023 within the time frame fixed by this Honble Court.

For Petitioner : Mr.A.M.Amuhta Ganesh

For Respondents : Mr.A.Bindran, Additional 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 petitioner herein has given a representation to the 1st respondent on 21.10.2023, seeking to revise his appointment as Junior Assistant from the date of his appointment i.e., 07.06.2019 and to give promotions by taking into consideration of the service rendered by the petitioner along with back wages and other monetary benefits. 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



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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 1st respondent herein, to consider the petitioner's representation dated 21.10.2023, on its own merits and pass appropriate orders in accordance with law, within a period of eight (08) 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.



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Index:Yes/No

Speaking order/Non-speaking order
gd



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M.S.RAMESH,J.

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