



W.P.(MD).No.12452 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.05.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.12452 of 2023

Rajasekaran

... Petitioner

Vs.

The District Collector,
Karur,
Karur District.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to revoke the suspension order dated 22.07.2022 by considering the representation dated 04.05.2023 in the light of G.O.(Ms).No.81 Human Resources Management (N) Department dated 04.08.2022.

For Petitioner : Mr.S.C.Herold Singh

For Respondent : Mr.A.Kannan

Additional Government Pleader

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.



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2. The petitioner herein had given a representation to the respondent on 03.05.2023 seeking to revoke the suspension order. Since the said representation was not considered, 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 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.

4. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation, dated 03.05.2023, in the light of G.O.(Ms).No.81 Human Resources Management (N) Department dated 04.08.2022, 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 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.



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5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

25.05.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm

To

The District Collector,
Karur,
Karur District.



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M.S.RAMESH, J.

Lm

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