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W.P.No.5840 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.5840 of 2024

M.Praveen Kumar

... 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 – 6000003.
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.

... Respondents



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Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent/TNPSC to implement the G.O.Ms.No.6, Youth Welfare and Sports Development (S1) Department, dated 20.02.2019, to fill up the 3% sports quota in the notification No.34/2022 dated 18.11.2022 and consider the application of the petitioner under Sports category by considering of the petitioner's representation dated 16.02.2024.

For Petitioner : Mr.R.Venkatesulu

For R1, R3 and R4 : Mr.V.Veluchamy
Additional Government Pleader

For R2 : Mr.Abrar Mohamed Abdullah
Standing Counsel

ORDER

This writ petition has been filed for direction directing the second respondent/TNPSC to implement the G.O.Ms.No.6, Youth Welfare and Sports Development (S1) Department, dated 20.02.2019, to fill up the 3% sports quota in the notification No.34/2022 dated 18.11.2022 and consider the application of the petitioner under Sports category by considering of the petitioner's representation dated 16.02.2024.

2. Heard the learned counsel on either side and perused the



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materials available on record.

3. The petitioner herein has given a representation to the respondents on 16.02.2024, 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.

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 invoking its extraordinary powers under Article 226 of Constitution of 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



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to the second respondent herein, to consider the petitioner's representation dated 16.02.2024, on its own merits and pass appropriate orders, in accordance with law, within a period of one 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.

6. With the above directions, this writ petition is disposed of.

There shall be no order as to costs.

07.03.2024
(2/2)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
mn



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G.K.ILANTHIRAIYAN. J.



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