



W.P.(MD).No.3477 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.3477 of 2021

and

W.M.P.(MD)No.2819 of 2021

Udhayamuthu

... Petitioner

Vs.

1.The Secretary to Government,
Department of Animal Husbandry,
dairying & fisheries,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Director,
Tamil Nadu Co-operative Milk
Producers Federation Limited,
No-3A, Pasupon Muthuramalingannar
Salai, Nandhanam,
Chennai-600 035.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent authorities to act upon the representation submitted by the petitioner dated 10.02.2021 and provide job to the petitioner as heavy vehicle driver in the light



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of qualifications prescribed in the notifications issued by the respondent authorities.

For Petitioner : Mr.T.Dhamodharan
For R-1 : Mr.Senthil Ayyanar
For R-2 : Mr.D.Gandhi Raj,
Special Government Pleader

ORDER

This writ petition has been filed seeking direction to the respondent authorities to act upon the representation submitted by the petitioner dated 10.02.2021 and provide job to the petitioner as heavy vehicle driver in the light of qualifications prescribed in the notifications issued by the respondent authorities.

2. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The Tamil Nadu Co-operative Milk Producers Federations Limited (AAVIN Illam) issued a notification dated 24.11.2020 inviting applications for eligible candidates from 24.11.2020 to 09.12.2020 for the existing vacancies in



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the various post like Managers, Technicians, drivers, etc. The petitioner applied for the post of heavy vehicle driver. Following which, he was called for certificate verification / interview vide call letter dated 18.01.2021. After producing the original certificate, the respondent authorities required the petitioner to wait. Thereafter, he was orally informed that for want of experience certificate in the field of driving, his case kept pending. Thereafter, as required by the respondent authorities, the petitioner produced his experience certificate. Even after that, he was not provided with job. Hence, he made a representation on 10.02.2021 seeking respondent authorities to provide him with a job as heavy vehicle driver. Since the same was not considered by the respondent authorities, the present writ petition came to be filed.

3. Heard, the learned Counsels on either sides. Carefully perused the materials available on record.

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 the respondent to consider the same on its own merits and pass appropriate orders in one way or



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other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

5. Without going into the merits of this case, this Court hereby direct the respondent authorities to consider the petitioner's representation dated 10.02.2021 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

26.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml



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L.VICTORIA GOWRI, J.

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