



W.P(MD).No.4661 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2024

CORAM:

THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

W.P.(MD) No.4661 of 2024

S.Thirunavukkarasu

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. By its Secretary to Government,
Revenue and Disaster Management Department,
Secretariat,
Chennai – 600 009.

2.The Additional Chief Secretary/
Commissioner of Revenue Administration,
Chepauk, Chennai – 600 005.

3.The District Collector,
Tirunelveli District,
Tirunelveli

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the 1st respondent to regularize the period between 29.05.2012 and 07.08.2012 as duty for all purposes strictly in accordance with order passed in W.P(MD)No.7330 of 2012 dated 18.02.20214 as altered by this Court vide order dated 26.02.20215 and consequentially to



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disburse the monetary benefits along with all other service benefits within the time that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
for Ajmal Associates

For Respondents. : Mr.M.Siddharthan
Additional Government Pleader

ORDER

Mr.Siddharthan, learned Additional Government Pleader takes notice for the respondents.

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

3. The petitioner was initially appointed as Revenue Assistant on 26.07.2004. He was promoted as Deputy Tahsildar on 01.07.2011 and as Tahsildar on 03.07.2015. While he was working as Deputy Tahsildar, his name was deleted from the panel of Deputy Tahsildar on the ground that he did not complete 10 years of service. Challenging the said reversion, he filed W.P(MD)No.7330 of 2012. Pursuant to the same, the petitioner was re-instated



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on 07.09.2012 by the proceedings of the 3rd respondent. However, the 1st respondent has not regularized the period from 29.05.2012 and 07.08.2012 and for that purpose, the petitioner made a representation on 28.03.2023. Since the same was not considered, the petitioner has filed the present Writ Petition.

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 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. It is made clear that without going into the merits of this case, this Court hereby directs the respondents 1 and 2 to consider the representation of the petitioner dated 28.02.2023 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.



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6. Accordingly, this Writ Petition stands disposed of. No costs.

28.02.2024

Index : Yes/No

Internet: Yes

CM

To,

1.The Secretary to Government,
Revenue and Disaster Management Department,
Secretariat,
Chennai – 600 009.

2.The Additional Chief Secretary/
Commissioner of Revenue Administration,
Chepauk, Chennai – 600 005.

3.The District Collector,
Tirunelveli District,
Tirunelveli



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L.VICTORIA GOWRI, J.

CM

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