



WP.(MD).No.5306 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 06.03.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.5306 of 2024

N.Narasimha Pallavan

... Petitioner

Vs.

1.The Director,
Directorate of Public Libraries,
Anna Salai,
Mount Road, Thousand Lights,
Chennai – 600 002.

2.The District Library Officer,
District Library Office,
“D” Block, Near Bus Stop,
Bharathi Nagar,
Ramanathapuram,
Ramanathapuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent i.e. the Director, Public Libraries, Chennai to pass appropriate orders on the petitioner's representation dated 24.11.2023, after necessary verification in the service Register and Attendance Register, within a specified time frame that may fixed by this Honble Court, since so much juniors of the petitioner have been promoted to the post of Grade III Librarian in the regular time scale.

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For Petitioner : Mr.S.Visvalingam
For Respondents : Mr.C.Baskaran
Government Advocate

ORDER

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

2.This Writ Petition has been filed for issuance of a Writ of Mandamus, to direct the first respondent i.e. the Director, Public Libraries, Chennai to pass appropriate orders on the petitioner's representation dated 24.11.2023, after necessary verification in the service Register and Attendance Register, within a specified time frame that may fixed by this Honble Court, since so much juniors of the petitioner have been promoted to the post of Grade III Librarian in the regular time scale.

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

The petitioner joined as a Village Librarian in special time scale of pay and joined duty on 28.08.2012 forenoon in the Village Library, Akkiramasi, Paramakudi Taluk, Ramanathapuram District. The seniority list of Village Librarian was prepared as per



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proceedings of the Director of Public Libraries, Chennai. By mistake the petitioner's date of joining as Village Librarian has been mentioned as 28.08.2012 afternoon instead of 28.08.2012 forenoon. Because of this administrative mistake, serial number in the seniority list has been fixed as 668 instead of 416. The petitioner had filed his objection petition to the District Library Officer, Ramanathapuram on 15.11.2023 in this regard. Since it was not looked into, the petitioner made an objection petition on 15.11.2023 to the District Library Officer, Ramanathapuram. However, no action has been taken. He made yet another objection petition on 24.11.2023. There was no response for the same as well. Hence, this Writ Petition came to be filed.

4. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents and carefully perused the entire materials available on record.

5. 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



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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.

6.In view of the same, without going into merits of the case, this Court hereby direct the first respondent to consider the petitioner's objection petition dated 24.11.2023 and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of copy of this order.

7.In view of the above, this Writ Petition stands disposed of. There shall be no order as to costs.

06.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn



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L.VICTORIA GOWRI, J.

Mrn

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