



W.P.(MD).No.6690 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.6690 of 2024

S.Udhayakumar

...Petitioner

Vs.

The Commissioner,
Hindu Religious and Charitable
Endowment,
Nungampakkam,
Chennai.

... 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 include the petitioner's name in the promotion list issued by the respondent vide his proceedings in Se.Mu.Na.Ka.No.5824/2023/Pi.5 dated 15.12.2023 on the basis of his representation dated 19.12.2023.

For Petitioner : Mr.K.Arunraj

For Respondent : Mr.B.Saravanan
Additional Government Pleader



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ORDER

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

2. The present writ petition has been filed seeking direction to the respondent to include the petitioner's name in the promotion list issued by the respondent vide his proceedings dated 15.12.2023 on the basis of his representation dated 19.12.2023.

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

The petitioner is working as Typist at the Office of Assistant Commissioner, Karur. The order of appointment for the post of Typist was issued him on 03.02.2021. The respondent issued the promotion list for the panel year 2023-2024 for the post of Assistant from the posts of Junior Assistant and typist through his proceedings dated 15.12.2023. However, the petitioner's name is not included though he is eligible for promotion. In view of the same, the petitioner made a detailed representation to the respondent dated



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12.12.2023 and 19.12.2023 seeking to include his name in the promotion list issued by the respondent vide proceedings dated 15.12.2023. Since the same was not considered, this writ petition came to be filed.

4. Heard, the learned Counsels on either side. Carefully perused the 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 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. Without going into the merits of this case that this Court hereby direct the respondent to consider the petitioner's representation dated 19.12.2023 and



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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.

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

20.03.2024

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

To

The Commissioner,
Hindu Religious and Charitable
Endowment,
Nungampakkam,
Chennai.



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L.VICTORIA GOWRI, J.

Sml

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