



W.P.(MD)No.8938 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.8938 of 2024

Prabhu

... Petitioner

Vs.

1.The State of Tamilnadu,
Rep by its Secretary,
Home Department,
Fort St.George, Chennai.

2.The Director General of Police,
Tamilnadu, Santhom, Chennai - 600 004.

3.The Tamil Nadu Uniformed Services Recruitment Board,
Represented by its Chairman,
Pandemon Road, Egmore, Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to create 112 super numerical post of Sub Inspector of Police in order to compensate the candidates who have lost their quota due to non-reservation for the dependents of the servicing police personal and the wards / dependents of retired deceased and medically invalidated police personal in the recruitments to the post of Sub Inspectors of Police Tamilnadu - 2019 and 2022.

For Petitioner : Mr.V.Angusamy

For Respondents : Mr.Veera Kathiravan,

Additional Advocate General

Assisted by Mr.N.Ramesh Arumugam,
Government Advocate



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ORDER

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

2. Heard Mr.V.Angusamy, learned counsel appearing for the petitioner, Mr.Veera Kathiravan, learned Additional Advocate General assisted by Mr.N.Ramesh Arumugam, learned Government Advocate appearing for the respondents.

3. The petitioner herein had given a representation to the respondents on 18.03.2024 seeking to create 112 super numerical post of Sub Inspector of Police. Since the said representation was not considered, 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 the respondents 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



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amount to dereliction of duty. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with direction to consider the representation of the petitioner within a specified time frame.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 18.03.2024 on its own merits 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. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the first respondent to consider the same on its own merits.

6. With the above direction, the Writ Petition stands **disposed of**.

No costs.

10.04.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG



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To

- 1.The State of Tamilnadu,
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- 2.The Director General of Police,
Tamilnadu, Santhom, Chennai - 600 004.
- 3.The Tamil Nadu Uniformed Services Recruitment Board,
Represented by its Chairman,
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Egmore, Chennai.



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R.N.MANJULA, J.

TSG

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