



W.P.(MD)No.15800 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.15800 of 2024

Raj

... Petitioner

Vs.

1.The Director of Backward Classes Welfare,
Directorate of Backward Classes Welfare,
Chepauk, Chennai-5.

2.The District Backward Classes and
Minorities Welfare Officer,
District Backward Classes and
Minorities Welfare Office,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to implement the order passed by the first respondent dated 26.02.2021 in Se.Mu.No.B3/4155/2020 and with all monetary and attendant benefits.

For Petitioner : Mr.S.Ramsundarvijayaraj
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard Mr.S.Ramsundarvijayaraj, learned counsel for the petitioner
and Mr.S.Shanmugavel, learned Additional Government Pleader for the
respondents.



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2. By consent of both parties, this writ petition is taken up for

final disposal at the stage of admission itself.

3. The petitioner has filed this writ petition seeking a Writ of Mandamus to direct the second respondent to implement the order passed by the first respondent dated 26.02.2021 in Se.Mu.No.B3/4155/2020 with all monetary and attendant benefits.

4.The petitioner has filed a representation before the second respondent seeking refixation of his seniority and obtained an order in his favour on 26.02.2021. However, the second respondent has not taken any action to implement the same so far. Hence the petitioner has filed this writ petition.

5. The failure on the part of the authority concerned 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 a direction to consider the request of the petitioner within a specific time frame.



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6. In the light of the above observations, there shall be a direction to the second respondent herein to implement the order of the first respondent dated 26.02.2021 on its own merits and in accordance with law, within a period of four 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 respondents to consider the same on its own merits.

7. With the above direction, the Writ Petition stands disposed of.

No costs.

15.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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To

- 1.The Director of Backward Classes Welfare,
Directorate of Backward Classes Welfare,
Chepauk, Chennai-5.
- 2.The District Backward Classes and
Minorities Welfare Officer,
District Backward Classes and
Minorities Welfare Office,
Ramanathapuram District.



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R.N.MANJULA, J.

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