



W.P.(MD)No.17193 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.17193 of 2024

V.Saminathan

... Petitioner

vs.

1.The Additional Chief Secretary
Revenue and Disaster management
Unit Mission 3 (1) Section,
Head Quarters,
Chennai.

2.The District Collector,
Pudukkottai District
Pudukkottai.

3.The District Revenue Officer,
Pudukkottai Collectorate Office Campus,
Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to conduct speed enquiry and consequently withdraw two charges and further kindly consider the petitioner's promotion as Tahsildar by way of considering his representation dated 18.06.2024.



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

ORDER

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

2. This writ petition has been filed seeking a writ of mandamus directing the respondents to withdraw the two charges against him and consider him for promotion to the post of Tahsildar by way of considering his representation dated 18.06.2024.

3. The petitioner herein, who is working as a Zonal Deputy Tahsildar at Thirumayam Taluk Office, Pudukkottai District, had given a representation dated 18.06.2024 to the respondents seeking to withdraw the two charges against him as the same would affect his promotion. Since the said representation was not considered, the present writ petition has been filed.



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4. The learned Counsel for the petitioner would submit that though the petitioner made representations to the respondents seeking to withdraw the charges against him, the respondents have not considered the same so far and hence, he prayed for a direction to the respondents to consider the representation of the petitioner.

5. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon them to consider the same on their own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. The failure on the part of the Authority had prompted the petitioner to file this petition 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 representation of the petitioner within a specified time frame.



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6. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 18.06.2024 on their own merits and pass appropriate orders in accordance with law, within a period of six 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 their own merits.

7. With the above direction, the Writ Petition stands **disposed of**. No costs.

26.07.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

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R.N.MANJULA, J.

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