



W.P.(MD)No.17195 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.17195 of 2024

1.J.Kanagavel

2.L.Raja

3.A.Senthilkumar

... Petitioners

VS.

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue Department,
Secretariat,
Chennai.

2.The Additional Chief Secretary /
Commissioner of Revenue Administration,
Ezhilagam,
Chennai - 600 005.

3.The District Collector,
Pudukkottai District,
Pudukkottai.

4.The District Revenue Officer,
Pudukkottai District,
Collectorate, Pudukkottai.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the fourth respondent to consider the representation of the petitioner dated 29.09.2023 while considering the representation of the directly recruited Assistants for the purpose of fixation of seniority within a period that may be stipulated by this Court.

For Petitioners : Mrs.R.Geethanjali
Mr.Ajmal Associates

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

Heard Mrs.R.Geethanjali, learned counsel appearing for the petitioners and Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents.

2. The Writ Petition has been filed by the petitioners for issuance of Writ of Mandamus directing the fourth respondent to consider their representation dated 29.09.2023 while considering the representation of the directly recruited Assistants for the purpose of fixation of seniority.



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

4. The petitioners herein, who are working as Deputy Tahsildar, Special Revenue Inspector and Senior Revenue Inspector respectively, had given a representation dated 29.09.2023 to the respondents 3 and 4 seeking not to make any changes in the 2022 seniority list.

5. The learned Counsel for the petitioners would submit that though the petitioners made representations to the respondents requesting them not to make any changes in the 2022 seniority list, 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 petitioners.

6. It is needless to point out 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



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failure on the part of the Authority had prompted the petitioners to file this petition seeking relief through issuance of writ of mandamus. As the petitioners have made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the fourth respondent is required to be given with a direction to consider the representation of the petitioners within a specified time frame.

7. In view of the above observations, the writ petition is **disposed of** with a direction to the fourth respondent to consider the petitioners' representation dated 29.09.2023 on its 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 fourth respondent to consider the same on its own merits.

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



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To

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R.N.MANJULA, J.

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