



WEB COPY



W.P.(MD)No.18390 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.18390 of 2024

and

W.M.P.(MD)No.15649 of 2024

- 1.G.Muthukumar
- 2.G.Malliga
- 3.C.Veerakali Mageswari
- 4.K.Muthu Raamalakshmi
- 5.S.Muthu Santhi
- 6.P.Muthuselvam

... Petitioners

Vs.

- 1.State of Tamil Nadu,
Rep.by its Secretary to Government,
Adi Dravidar & Tribal Welfare Department,
Fort St.George, Chennai-9.
- 2.The Director of Adi Dravidar Welfare,
Ezhilagam,
Chennai-5.
- 3.The District Adi Dravidar and
Tribal Welfare Officer,
O/o.the District Adi Dravidar and Tribal Welfare Office,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 2 and 3 to grant promotion to the petitioners in the post of B.T.Assistant (Tutor cum Warden) by way of redrawing the seniority list and promotion panel for the post of B.T.Assistant (Tutor cum Warden) in the Thoothukudi District by considering



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the representation of the petitioners dated 24.05.2024 in the light of the order passed by this Court in W.P.(MD)No.22276 of 2018 dated 25.11.2019 within the time period stipulated by this Court.

For Petitioners : Mr.T.Aswin Raja Simman
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard Mr.T.Aswin Raja Simman, learned counsel for the petitioners and Mr.S.Shanmugavel, learned Additional Government Pleader for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.Since the representation of the petitioners dated 24.05.2024 seeking promotion to post of B.T.Assistant (Tutor cum Warden) by way of redrawing the seniority list and promotion panel for the post of B.T.Assistant (Tutor cum Warden) in the Thoothukudi District has not been considered so far, the petitioners have filed this writ petition.

4.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 the



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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. The failure on the part of the authority had prompted the petitioners to file this petition for 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 respondents are required to be given with a 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 third respondent herein to consider the petitioners' representation dated 24.05.2024 on its own merits and pass appropriate orders 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.

6.With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

02.08.2024

NCC:yes/no
Internet:yes/no
ta

<https://www.mhc.tn.gov.in/judis>



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To

- 1.The Secretary to Government,
Adi Dravidar & Tribal Welfare Department,
Fort St.George, Chennai-9.
- 2.The Director of Adi Dravidar Welfare,
Ezhilagam,
Chennai-5.
- 3.The District Adi Dravidar and
Tribal Welfare Officer,
O/o.the District Adi Dravidar and Tribal Welfare Office,
Thoothukudi District.



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R.N.MANJULA, J.

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