



W.P.(MD).No.31126 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.31126 of 2023

S.Vinayagamani

... Petitioner

Vs

1. The District Collector,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Melur Revenue Division,
At Narasingampatti,
Melur Taluk, Madurai District.
3. The Tahsildar,
Melur Taluk,
Madurai.
4. V.Alaguraja
5. P.Vellaisamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to initiate disciplinary proceeding against the 4th respondents as per Rule 7 (1) (a) The Tamil Nadu Government Servants Conduct Rules, 1973 by considering



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the petitioner representation, dated 20.09.2023 within time stipulated by this Court.

For Petitioner : Mr.K.Mahendran

For Respondents : Mr.S.Shaji Bino
Special Government Pleader

ORDER

The present writ petition has been filed seeking a direction to the respondents 1 to 3 to initiate disciplinary proceeding against the 4th respondents as per Rule 7 (1) (a) The Tamil Nadu Government Servants Conduct Rules, 1973 by considering the petitioner representation, dated 20.09.2023 within the time stipulated by this Court.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself. Considering the limited relief sought for by the petitioner, notices to the respondents 4 and 5 are dispensed with.

3.Heard, the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents. Perused the materials on record.



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4.The petitioner gave a representation on 20.09.2023 to the respondents 1 to 3 to initiate disciplinary proceeding against the 4th respondents as per Rule 7 (1) (a) The Tamil Nadu Government Servants Conduct Rules, 1973. Since there is no progress, this writ petition came to be filed.

5. 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 amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

6. It is made clear that without going into the merits of this case, this Court hereby direct the respondents 1 to 3 to consider the representation of the petitioner, dated 20.09.2023, after affording opportunity to the respondents



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4 and 5 and pass final orders in accordance with law, within a period of six (6) weeks, from the date of receipt of a copy of this order.

7. Accordingly, this writ petition stands disposed of. There shall be no order as to costs.

02.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM

To

1. The District Collector,
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Madurai.
2. The Revenue Divisional Officer,
Melur Revenue Division,
At Narasingampatti,
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3. The Tahsildar,
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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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