



W.P.(MD)No.10391 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.10391 of 2025

K.Thanaraj Bandaram

: Petitioner

Vs.

1. The Commissioner,
HR & CE Department,
Uthamar Gandhi Road,
Thousand Lights West,
Nungambakkam,
Chennai.

2. The Joint Commissioner,
HR & CE Department,
Thiruchirapalli.

3. The Deputy Commissioner / Executive Officer,
HR & CE Department,
Kattuputhur, Thottiam Taluk,
Thiruchirapalli.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents No.1 and 2 to consider the representations dated 31.01.2024 and 01.10.2024 given to follow and comply the judgment passed in O.P. No.140 of 1940 on the file of District Court, Tiruchirappalli and to pass appropriate orders within the period that may be stipulated by this Hon'ble Court.



WEB COPY



W.P.(MD)No.10391 of 2025

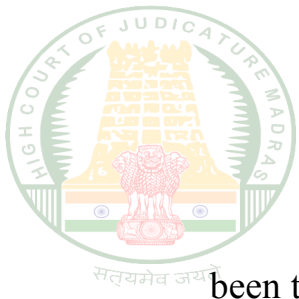
For Petitioner : Mr.R.Ramanujam
for M/s.Gandhi Associates
For Respondents : Mr.K.S.Selvaganesan
Addl. Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking a mandamus, directing the respondents 1 and 2 to consider the representations dated 31.01.2024 and 01.10.2024 submitted by the petitioner to follow and comply the judgment passed in O.P. No.140 of 1940 on the file of District Court, Tiruchirappalli.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner asserts that he submitted representations dated 31.01.2024 and 01.10.2024 to the respondents 1 and 2, requesting them to follow and comply the judgment passed in O.P.No.140 of 1940 by the learned District Judge, Tiruchirappalli. However, no action has



W.P.(MD)No.10391 of 2025

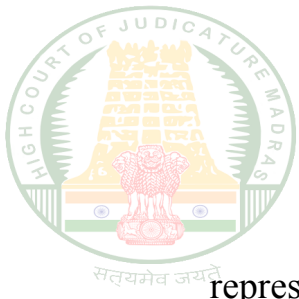
WEB COPY

been taken by the respondents. Aggrieved by such inaction, the petitioner has approached this Court by filing the present writ petition.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the respondents 1 and 2 to consider the representations of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.

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 him 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 the Constitution of the India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the respondents 1 and 2 to consider the petitioner's



W.P.(MD)No.10391 of 2025

WEB COPY

representations dated 31.01.2024 and 01.10.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the fourth respondent herein, as well as all other persons, who may be interested in the subject matter, within a period of eight weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents 1 and 2 to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

21.04.2025

Index : Yes / No

Internet : Yes / No

PKN



W.P.(MD)No.10391 of 2025

To

WEB COPY

1. The Commissioner,
HR & CE Department,
Uthamar Gandhi Road,
Thousand Lights West,
Nungambakkam,
Chennai.
2. The Joint Commissioner,
HR & CE Department,
Thiruchirapalli.
3. The Deputy Commissioner / Executive Officer,
HR & CE Department,
Kattuputhur, Thottiam Taluk,
Thiruchirapalli.



WEB COPY



W.P.(MD)No.10391 of 2025

VIVEK KUMAR SINGH, J.

PKN

W.P.(MD) No.10391 of 2025

21.04.2025