



W.P.(MD)No.15527 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.15527 of 2025

Suresh Kumar

: Petitioner

Vs.

1. The Government of Tamil Nadu
Represented by its Additional Chief Secretary,
Home Department,
Secretariat,
Fort St. George,
Chennai - 9.

2. The Director General Of Police
No.1, Dr. Radhakrishnan Salai,
Mylapore,
Chennai - 600 004.

3. The Superintendent Of Police
District Superintendent Of Police Office,
Sivagangai District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the respondents herein to re-fix the petitioner seniority by considering the representation dated 18.03.2025 within a stipulated time period in accordance with law.



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For Petitioner : Mr. C.Senthil Murugan

For Respondents : Mr.K.Balasubramani

Special Government Pleader

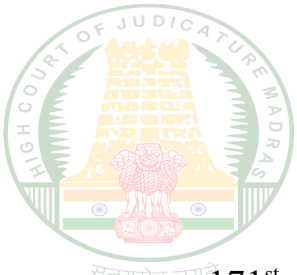
Ms.S,Mahalakshmi for R3

ORDER

This Writ Petition has been filed seeking a direction to the respondents herein to re-fix the petitioner seniority by considering the representation dated 18.03.2025.

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 was appointed as a Data Entry Operator Assistant on 07.01.2021 on compassionate grounds. He further states that immediately upon his appointment, he submitted an application requesting the respondents to appoint him in the post of Junior Assistant. Pursuant to this request, the petitioner was placed as the



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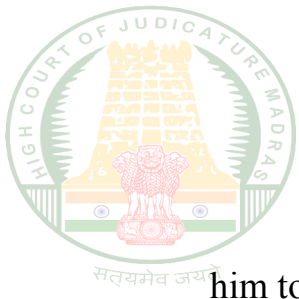
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171st candidate on the waiting list for appointment to the post of Junior Assistant/Typist.

4. The grievance of the petitioner is that, although candidates whose names were placed on the seniority waiting list after his have since been appointed as Junior Assistants, his candidature has not yet been considered. In this regard, the petitioner submitted a representation dated 18.03.2025 to the respondents 1 and 2, requesting that his candidature be considered for appointment to the post of Junior Assistant, on par with similarly placed candidates. As no action has been taken on the said representation, the petitioner has now filed the present writ petition.

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

6. 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



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

7. In the light of the above observations, there shall be a direction to the respondents 1 and 2, to consider the petitioner's representation dated 18.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of two months 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.



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

16.06.2025

Index : Yes / No

Internet : Yes / No

PKN

To

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VIVEK KUMAR SINGH, J.

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