



W.P.(MD)No.16492 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.16492 of 2025

C.Vellaichamy

: Petitioner

Vs.

1. The Additional Chief Secretary to Government,
Home (Transport IV) Department,
Secretariat,
St. George Fort,
Chennai - 600 009.

2. The Transport Commissioner,
Commissionerate of Transport and Road
Safety,
Guindy,
Chennai - 32.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to consider the petitioners representation dated 02.04.2025 and thereby relax the conditions stipulated in Rule 30(b) of Special Rules for Tamil Nadu Ministerial Service within the time frame.

For Petitioner : Mr.A.Robinson

For Respondents : Mr.K.Subramani

Special Government Pleader



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ORDER

The writ petition has been filed for the issuance of a writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 02.04.2025 and thereby, relax the conditions stipulated under Rule 30(b) of Special Rules for Tamil Nadu Ministerial Service, within the time frame.

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 joined service as a Typist on 05.08.2009 and was regularized with effect from the same date. He is presently working as an Assistant at the Unit Office, Valliyur. The grievance of the petitioner is that his name was not included in the promotion list prepared for the panel year 2022–2023, despite his seniority and eligibility. He contends that the condition stipulated under Rule 30(b) of the Special Rules for the Tamil Nadu Ministerial Service ought to have



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been relaxed in his case. In this regard, the petitioner submitted a detailed representation dated 02.04.2025 to the first respondent, requesting inclusion of his name in the promotion list based on seniority. As no action has been taken on the said representation, the petitioner has now filed 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 first respondent to consider the representation 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 India and direct them to consider the same within a stipulated time.



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6. In the light of the above observations, there shall be a direction to the concerned respondent to consider the petitioner's representation dated 02.04.2025, 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 first respondent 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.

19.06.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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