



W.P.(MD)No.18104 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.18104 of 2025

J.Suresh Kumar

... Petitioner

-VS-

1.The Secretary to Government,
Rural Development and Panchayat Raj Department,
Chennai - 600 009.

2.The Commissioner,
Rural Development and Panchayat Raj Department,
Panagal Building, Saidapet,
Chennai - 600 015.

3.The District Collector (Development),
Karur District, Karur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to give effect to the revised seniority fixed by the third respondent vide proceeding dated 09.11.2021 in Na.Ka.Bava4/1586/2021, by granting subsequent service and monetary benefits to the petitioner, by considering the petitioner's representation dated 24.06.2025.

For Petitioner

: Mr.G.R.Satish



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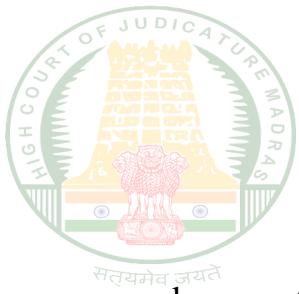
For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to give effect to the revised seniority fixed by the third respondent vide proceedings dated 09.11.2021 in Na.Ka.Bava4/1586/2021, by granting all consequential service and monetary benefits to the petitioner, based on his representation dated 24.06.2025.

2. By consent, this Writ Petition is disposed of, at the admission stage itself.

3. According to the petitioner, he was appointed as 'Junior Assistant' on 01.03.1990 and is senior to one Murugesan both in appointment and completion of probation, the said Murugesan was unjustly promoted earlier and assigned a higher seniority in the post of Assistant. The petitioner's seniority in the cadre of Assistant was initially fixed at 166 and later, arbitrarily revised to 204, despite his clear seniority. The third respondent, by proceedings dated 09.11.2021, rightly revised the petitioner's seniority and if implemented, the petitioner would have



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been notionally promoted as Deputy Block Development Officer on 18.07.2013 and Block Development Officer on 08.07.2024. However, the revised seniority has not yet been given effect, despite the petitioner's representation dated 24.06.2025. Hence, the petitioner is constrained to file this Writ Petition, seeking implementation of the revised seniority and consequential benefits.

4. Heard both sides.

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 third respondent to consider the petitioner's representation dated 24.06.2025, on its own merits and pass appropriate orders in accordance with law, 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 third respondent to consider the same on its own merits.

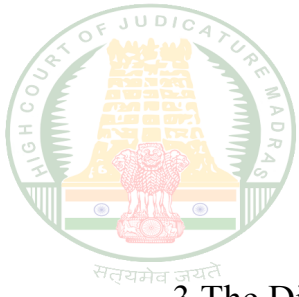
7. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

04.07.2025

To:-

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VIVEK KUMAR SINGH, J.

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