



W.P.(MD).No.19201 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.07.2025

CORAM:

THE HONOURABLE **MR.JUSTICE VIVEK KUMAR SINGH**

W.P.(MD)No.19201 of 2025

N.Nagendraboopathi

... Petitioner

-VS-

1. The State of Tamil Nadu,
Rep by The Principal Secretary,
Health and Family Welfare Department,
Secretariate,
Fort St.George,
Chennai.

2. The Director of Medical And Rural Health Services,
DMS Office, DMS Campus,
Teynampet, Chennai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus direct the respondents to consider petitioner's representation dated 23.05.2025 and consequently direct the respondents to give a notional promotion for the post of Junior Administrative Officer in the 2nd respondent department with in time frame fixed by this Court.

For Petitioner : Mr.N.Jeyaram Sidharth

For Respondents : Mr.K.Balasubramani

Special Government Pleader



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ORDER

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This writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 23.05.2025 and consequently direct the respondents to give a notional promotion for the post of Junior Administrative Officer in the 2nd respondent department within a time frame fixed by this Court.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. The petitioner was appointed as 'Junior Assistant cum Storekeeper' in the year 1995 and his service was regularized in the year 1995. The petitioner was lastly promoted as 'Office Superintendent'. The next level promotional post for the petitioner is 'Junior Administrative Officer'. The promotion panel for the post of Junior Administrative Officer was approved and even though the petitioner's name is included in the panel in S.No.55 out of 56, as he was allowed to retire on 31.05.2022 due to superannuation, his name has been removed from the approved promotion panel and brought to the unqualified list. Hence, the petitioner made a representation to the



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respondents dated 23.05.2025. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. 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.

5. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 23.05.2025, 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 respondents to consider the same on its own merits.



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

16.07.2025

NCC : Yes/No
Index : Yes / No
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TO:-

1. The Principal Secretary,
Health and Family Welfare Department,
Secretariate,
Fort St.George,
Chennai.
2. The Director of Medical And Rural Health Services,
DMS Office, DMS Campus,
Teynampet, Chennai.



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VIVEK KUMAR SINGH, J.

sm

Order made in
W.P.(MD)No.19201 of 2025

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