

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 03.09.2018
CORAM
THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI
W.P.No.22635 of 2018

Mr.Lakshamanan

...Petitioner

..VS..

- 1.The State of Tamil Nadu,
Rep by its Principal Secretary,
Public Works Department,
Fort St., George, Chennai-9.
2. The Engineer in Chief (General),
Public Works Department,
Chepauk,
Chennai - 600 005.
3. The Secretary,
Finance Department,
Fort St., George,
Chennai-9.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents to consider the petitioner's representation letter dated 29.03.2018.

For Petitioner : Mr.A.Saranraj

For Respondents : Mrs.R.Janaki
Additional Government Pleader

O R D E R

Mrs.R.Janaki, learned Additional Government Pleader accepts notice on behalf of the respondents.

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

3. The prayer made in this Writ Petition is for a direction to the respondents to consider the representation of the petitioner dated 29.03.2018.

4. The case of the petitioner is that he had joined as a Irrigation Assistant PWD/WRD, Malaiyur, Nagai District District on 01.05.1988 and was made permanent vide Government Order dated 19.10.2007 and his services were regularized with effect from 19.10.2007 and he has been getting the monetary benefits. Seeking for notional monetary benefit and service benefits from 01.07.1988, in the light of the Government Order dated 01.08.2012, the petitioner had made a representation to the respondents on 29.03.2018. Since, no orders have been passed on the same, till date, the petitioner has come up with this Writ Petition seeking for the aforesaid relief.

5. The learned counsel appearing for the petitioner submits that since the petitioner representation in this regard is pending with the second respondent since 29.03.2018 without being attended to, the second respondent is guilty of inaction, hence direction be given to the second respondent to dispose of his representation in the light of the Government order dated 01.08.2012 within a stipulated period.

6. The learned Additional Government Pleader appearing for the respondents, however submits that the second respondent shall have no objection in consideration of such representation, if the same is pending within a period to be stipulated by this Court, but this Court should not put any fetter to dispose of the representation in any particular manner, except the time limit, inasmuch as no response of the respondents, particularly the second respondent has been filed on merit of such representation.

7. Regard being had to the aforesaid facts and submissions made, this Court disposes of this writ petition with a direction to the second respondent to take an informed and considered decision on the representation of the petitioner dated 29.03.2018 by a speaking order and intimate the decision thereof to the petitioner, if the same is still pending, within six weeks of receipt of a copy of this Order. However, it is made clear that this Court has expressed no opinion on merit of such representation of the petitioner and as such there is no fetter on the part of the second respondent to dispose of this representation, except the time limit provided. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

arr/lok

To

1.The Principal Secretary,
Public Works Department,
Fort St., George, Chennai-9.

2. The Engineer in Chief (General),
Public Works Department,
Chepauk,
Chennai - 600 005.

3. The Secretary,
Finance Department,
Fort St., George,
Chennai-9.

+1cc to Mr.A.Saranraj, Advocate, S.R.No.61427

WP.No.22635 of 2018

RJ(CO)
GSP(11/10/2018)



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