

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31936 of 2019

1 S.Rajasekaran ...Petitioner
Vs

1 The Secretary to Government
Agriculture/ Chairman,
Pondicherry Agro Service and
Industries Corporation Limited,
Chief Secretariat, Puducherry 605001.

2 The Managing Director
Pondicherry/ Agro Service and Industries
Corporation Ltd.
(PASIC) Agro House, Thattanchavady,
Puducherry - 605009.

3 The Director of Agriculture,
Agriculture Department,
Puducherry. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue appropriate Writs, Orders or Directions and in particular issue a Writ of MANDAMUS Directing the 1st respondent to consider the petitioner's representation dated 16.03.2017 and 23.03.2017 respectively and to redeploy the petitioner to the office of the 3rd respondent in equivalent post of Depot Manager.

For Petitioner : Mr.M.Gnanasekar
For Respondent : Mr.A.V.Ramalingam, A.G.P (Pondy)
for R3

ORDER

1.The petitioner has come forward with the present Writ Petition, praying for issuance of a Writ of Mandamus, to direct the 1st respondent to consider the petitioner's representations dated 16.03.2017 and 23.03.2017 respectively and to redeploy the petitioner to the office of the 3rd respondent in equivalent post of Depot Manager.

2.The case of the petitioner is that he was sponsored through by Employment Exchange and posted as Depot Salesman on temporary basis on 07.05.1987 and thereafter he was promoted as Depot Manager on 24.09.1995 and posted at Kottucherry, Karaikkal. While he was working in Karaikkal, he was granted replacement of scale of pay of Rs.9300 -34800 + Grand Pay of Rs.4200/- with effect from 24.04.1995. According to the petitioner, from March 2011 to February 2017 no salary was paid for 23 months and October 2016 to February 2017 60% of the salary alone was paid. Therefore, he made a representation on 16.03.2017 to the respondent requesting to make entire disbursement of salary to which he is entitled to under the 6th Pay Commission along with arrears. As there was no response, the petitioner again made another representation on 23.03.2017 and even then also, as no reply is forthcoming from the respondents, the petitioner is before this Court.

3.The learned counsel for the petitioner would submit that without going into merits of the case since the representation made by the petitioner has been pending without any progress it would suffice if this Court directs the respondent to consider and dispose of the representation made by the petitioner in accordance with law.

4.Mr.A.V.Ramalingam, learned Additional Government Pleader (Pondicherry) appearing for the respondents, while conceding the claim of the petitioner, would submit that if any such direction is given by this Court, the same would be complied with and the representations of the petitioner would be disposed of in accordance with law.

Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, without advertent of the merits of the case, the respondents are directed to consider the representation made by the petitioner on 16.03.2017 and 23.03.2017 respectively, in accordance with law and on merits within a period of twelve weeks from the date of receipt of copy of this order.

5.With the above direction, this Writ Petition is disposed of.
No costs.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

jrs

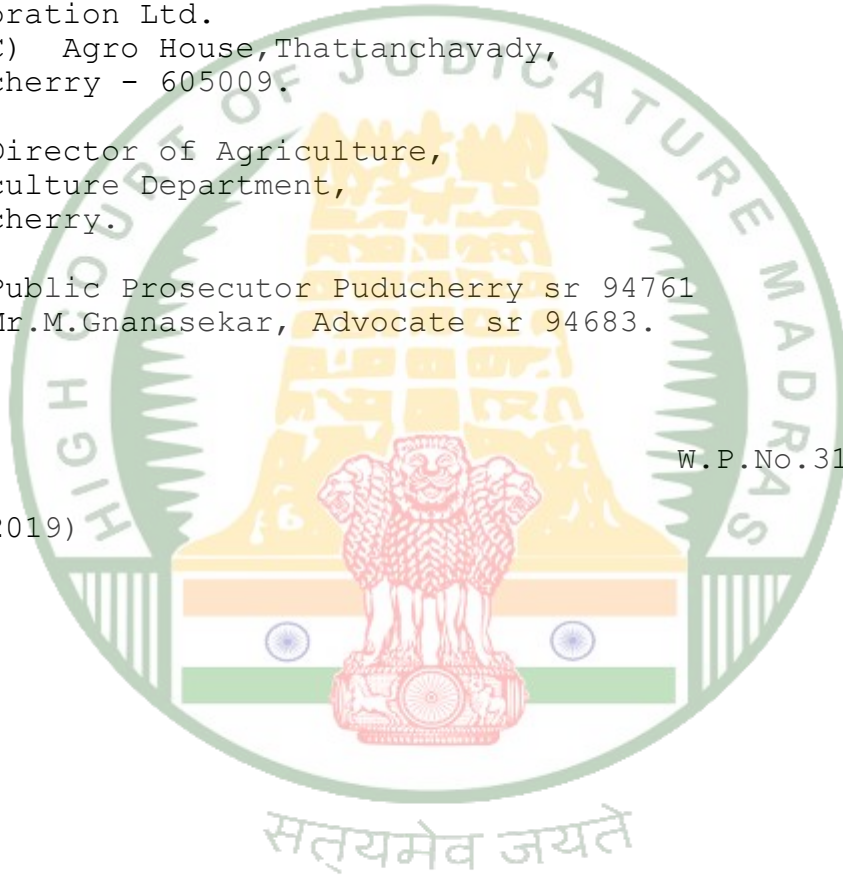
To

- 1 The Secretary to Government
Agriculture/ Chairman,
Pondicherry Agro Service and
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- 2 The Managing Director
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Corporation Ltd.
(PASIC) Agro House, Thattanchavady,
Puducherry - 605009.
- 3 The Director of Agriculture,
Agriculture Department,
Puducherry.

+1 CC to Public Prosecutor Puducherry sr 94761
+1 CC to Mr.M.Gnanasekar, Advocate sr 94683.

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SP(03/12/2019)



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