



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.577 of 2020

P.Kanagarajan

Petitioner

Vs

1. The Government of Tamil Nadu
Rep by its Principal Secretary
Finance Department
St.George Fort, Secretariat
Chennai
2. The Government of TamilNadu
Rep by its Principal Secretary
Printing and Stationery Department
Secretariat, St.George Fort,
Chennai
3. The Director
Printing and Stationery Department
110 Anna Salai
Chennai
4. The Joint Director
Printing and Stationery Department
110 Anna Salai
Chennai
5. The Branch Manager
Government Branch Press
Public Office Compound
Pudukkottai
Pudukkottai District
6. The Principal Accountant General
O/o The Accountant General
361, Anna Salai
Teynampet
Chennai - 600 018

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 to 5 to issue increments to the petitioner for continuously working as a Compositor for the period of 30 years of his service based on the petitioner's representation dated 14.11.2019, within a time frame stipulated by this Court.

For Petitioner : Mr.A.V.Rajasekaran

For Respondents : For R1 to R5 - Mr.R.Sethuraman

Special Government Pleader

For R6 - Mr.P.Gunasekaran

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. Though the petitioner has sought for issuance of writ of mandamus to the respondents 2 to 5 to issue increments to the petitioner for continuously working as a Compositor for the period of 30 years of his service based on the petitioner's representation dated 14.11.2019, in my view, such a decision is to be taken by the respondents and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

3. The petitioner would submit that he has already made representation on 14.11.2019 in this regard, which is said to be pending. If the said representation is directed to be disposed of within stipulated time, the ends of justice could be secured.

4. Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

5. In view of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation, dated 14.11.2019, on its own merits and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in the representation and it is for the second respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



vrn

To

1. The Principal Secretary
Government of Tamil Nadu
Finance Department
St.George Fort, Secretariat
Chennai
2. The Principal Secretary
Government of Tamil Nadu
Printing and Stationery Department
Secretariat, St.George Fort,
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3. The Director
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6. The Principal Accountant General
O/o The Accountant General
361, Anna Salai, Teynampet
Chennai - 600 018.

+1 CC to M/s.A.V.RAJASEKARAN, Advocate (SR-1579[F] dated 13/01/2020
+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-1650[F] dated 13/01/2020)
+1 CC to M/s.SPL.GP (SR-1977[F] dated 20/01/2020)

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SMA/06/02/2020/3P/10C