



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.02.2020**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.3225 of 2020

WEB COPY

S.Thangavel

... Petitioner

/vs./

- 1.The Principal Secretary to Government,
Health and Family Welfare Department,
Government of Tamilnadu,
Fort St.George, Chennai 600 009.
- 2.The Director of Public Health and Preventive Medicine,
359, Anna Salai, Chennai 600 006.
- 3.The Deputy Director of Health Service,
Sankarankovil, Tenkasi District.
- 4.The District Collector,
Tirunelveli District, Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first and second respondents to consider the representation of the petitioner dated 08.05.2019 to rectify the pay anomaly on par with that of his Junior P.Srinivasan Health Educator, retired from service and to step up his pay on par with that of his junior at Rs.24170+4500 Gr.Pay with effect from 01.04.2010 in the post of Health Educator.

For Petitioner : Mr.P.T.Thiraviam

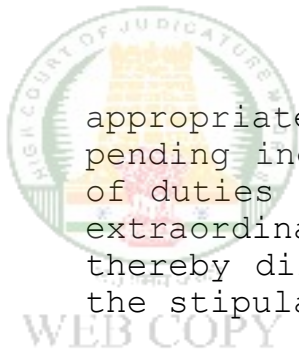
For Respondents : Mr.C.M.Marichellaiah Prabhu,
Additional Government Pleader.

ORDER

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

2. The limited prayer sought for the petitioner is that to consider the representation dated 08.05.2019 seeking to rectify the pay anomaly on par with that of his Junior.

3. 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 merit 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.

4. In view of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 08.05.2019 on its own merits and pass appropriate orders within a period of eight (8) 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 his representation and it is for the first respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To

- 1.The Principal Secretary to Government,
Health and Family Welfare Department,
Government of Tamilnadu,
Fort St.George, Chennai 600 009.
- 2.The Director of Public Health and Preventive Medicine,
359, Anna Salai, Chennai 600 006.
- 3.The Deputy Director of Health Service,
Sankarankovil, Tenkasi District.
- 4.The District Collector,
Tirunelveli District, Tirunelveli.

+1 CC to M/s.P.T.THIRAVIAM, Advocate (SR-6796[F] dated 18/02/2020)
+1 CC to M/s.SPL.GP (SR-7035[F] dated 19/02/2020)

Order made in
W.P.(MD) No.3225 of 2020
Dated: 18.02.2020

JMN(26.02.2020) 2P : 7C

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