



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.01.2020**

CORAM:

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

W.P.(MD) No.26141 of 2019

P.Somumoorthy

... Petitioner

/vs./

1.The Principal Secretary,
Government of Tamil Nadu,
Personnel and Administrative Reforms Department,
Fort St George, Chennai 600 009.

2.The Director of Rural Development & Panchayat Raj
Department,
Panagal Building, Abdul Razzak Street, Saidapet,
Chennai 600 015.

3.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 third respondent to sanction and disburse selection grade scale of pay to the petitioner from 01.03.2001 within the time stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

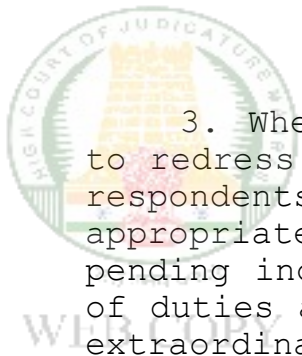
For Respondents : Mr.R.Sethuraman

Special Government Pleader

ORDER

Though the petitioner has sought for issuance of writ of mandamus to direct the third respondent to sanction and disburse selection grade scale of pay to the petitioner from 01.03.2001, in my view, such a decision is to be taken by the third respondent and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

2. The petitioner would submit that he has already made representation on 06.05.2019 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.



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 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.

4. In view of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation, dated 06.05.2019, 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 respondents to consider it in accordance with law.

5. With the above directions, this Writ Petition is disposed of.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

- 1.The Principal Secretary,
Government of Tamil Nadu,
Personnel and Administrative Reforms Department,
Fort St George, Chennai 600 009.
 - 2.The Director of Rural Development & Panchayat Raj Department,
Panagal Building, Abdul Razzak Street, Saidapet,
Chennai 600 015.
 - 3.The District Collector,
Tirunelveli District, Tirunelveli.
- +1 CC to M/s.Special Govt.Pleader (SR-960[F] dated 09/01/2020)
+1 CC to M/s.T.LAJAPATHIROY, Advocate (SR-671[F] dated 08/01/2020)

Order made in
W.P.(MD) No.26141 of 2019
07.01.2020

rmk