



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.01.2020**

CORAM:

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

W.P. (MD) No.27294 of 2019

P.Radha Krishnan

... Petitioner

/Vs./

1.The Chairman TANCEM/Additional,  
Chief Secretary to Govt,  
Industries (MID 2) Department,  
Secretariat, Fort St George,  
Chennai.

2.The Managing Director,  
Tamil Nadu Cements Corporation Ltd.,  
LLA Buildings 2<sup>nd</sup> Floor,  
735, Annasalai, Chennai-2.

3.The Deputy General Manager,  
Tamil Nadu Cements Corporation Limited,  
A Government of Tamil Nadu undertaking)  
Alangulam Works, Tamil Nadu Cements Post 626 127,  
Rajapalayam Via, Virudhunagar District. ... 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 pay the salary and the revised pay scale as requested in the petitioner's representation dated 01.10.2019 within a time frame fixed by this Court.

For Petitioner : Mr.Chamundi Bose

For Respondents : Mr.M.Jeyakumar

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. Though the petitioner has sought for issuance of writ of mandamus to direct the third respondent to pay the salary and the revised pay scale, 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.

3. The petitioner would submit that she has already made representation on 01.10.2019 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 third respondent herein to consider the petitioner's representation, dated 01.10.2019, 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 her representation and it is for the respondents to consider it in accordance with law.

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

Sd/-

Assistant Registrar ()

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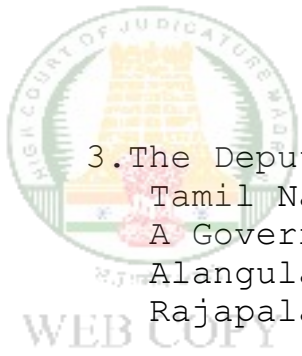
/ /2020

Sub Assistant Registrar (CS)

To:

1.The Chairman TANCEM/Additional,  
Chief Secretary to Govt,  
Industries (MID 2) Department,  
Secretariat, Fort St George,  
Chennai.

2.The Managing Director,  
Tamil Nadu Cements Corporation Ltd.,  
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3.The Deputy General Manager,  
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A Government of Tamil Nadu undertaking)  
Alangulam Works, Tamil Nadu Cements Post 626 127,  
Rajapalayam Via, Virudhunagar District.

+1 CC to SPL.GP ( SR-97[F] dated 03/01/2020 )

+1 CC to Mr.CHAMUNDI BOSE, Advocate ( SR-7[F] dated 02/01/2020 )

Order made in  
W.P.(MD)No.27294 of 2019  
Dated:  
02.01.2020

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