



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.01.2020**

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.27369 of 2019

WEB COPY

M.Samipillai

... Petitioner

/vs./

1.The Secretary to Government,
Backward, Most Backward Classes and
Minorities Welfare Department,
Secretariat, Chennai-9.

2.The Commissioner,
Backward Classes and
Minorities Welfare Department,
Chepauk, Chennai-5.

3.The District Backward Classes and
Minority Welfare Officer,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the petitioner representation dated 04.12.2019 and to give increasing salary by way of annual increment, other benefits and arrears thereon with effect from 03.07.2000 in favour of the petitioner.

For Petitioner : Mr.K.Sudalaiyandi

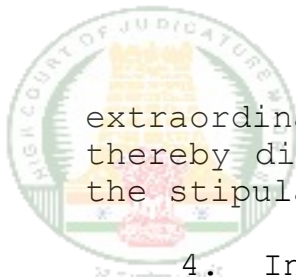
For Respondents : Mr.C.M.Marichelliah Prabhu, AGP

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 04.12.2019 seeking to fix his salary benefits from the date of his regularization i.e., from 03.07.2000.

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 respondents herein to consider the petitioner's representation dated 04.12.2019 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. No costs.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

To

1.The Secretary to Government,
Backward, Most Backward Classes and
Minorities Welfare Department,
Secretariat, Chennai-9.

2.The Commissioner,
Backward Classes and
Minorities Welfare Department,
Chepauk, Chennai-5.

3.The District Backward Classes and
Minority Welfare Officer,
Madurai.

+1 CC to Mr.K.SUDALAIYANDI, Advocate (SR-29[F] dated 02/01/2020)
+1 CC to SPL.GP (SR-288[F] dated 06/01/2020)

Order made in
W.P.(MD)No.27369 of 2019
Dated:02.01.2020

MK (20.01.2020) 2P 6C

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