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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.35147 of 2015

P.Chinnasamy

... Petitioner

-Vs-

1.The Secretary to Government of Tamil Nadu,
Municipal Administration and
Water Supply Department,
Fort St. George, Chennai 9.

2.The Director of Town Panchayat,
Kuralagam Buildings, Chennai 108.

3.The Executive Officer,
Poolampadi Town Panchayat,
Poolampadi,
Perambalur Distirct.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the Respondents to bring the petitioner under regular time scale from the date (21.08.2000) of completion of one and half year satisfactory consolidated pay service and to grant all consequential service and monetary benefits.

For Petitioner : Mr.P.J.Thirumoorthy

For Respondents : Mr.E.Veda Bagath Singh,
Special Government Pleader.

O R D E R

The petitioner herein had given various representations to the respondents seeking direction to the respondents to bring the petitioner under regular time from the date (21.08.2000) of completion of one and half year satisfactory consolidated pay service and to grant all consequential service and monetary benefits.



2. It is needless to point out that whenever representations of this nature are made to a Statutory Authority, 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. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

3. Since the representation was made on 03.03.2015, it would not be appropriate to direct the respondents to consider the same after a lapse of five years. On the other hand, if the petitioner is granted liberty to give a fresh representation with a consequential direction to the respondents to consider the same, the ends of justice could be secured.

4. In the light of the above observations, the petitioner is granted liberty to make a fresh representation to the third respondent, along with a copy of the earlier representation dated 03.03.2015, ventilating his grievances as expeditiously as possible and on receipt of such representation from the petitioner, the third respondent shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of eight (08) weeks from the date of receipt of the fresh representation made by the petitioner.

5. With the above direction, this Writ Petition stands disposed of. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

vkr

To:

1. The Secretary to Government of Tamil Nadu,
Municipal Administration and
Water Supply Department,
Fort St. George, Chennai 9.



2.The Director of Town Panchayat,
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3.The Executive Officer,
Poolampadi Town Panchayat,
Poolampadi, Perambalur Distirct.

+1cc to Mr.P.I.Thirumoorthy, Advocate Sr.64940
+1cc to the Government Pleader Sr.65263

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