



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.110 of 2021

R.Ayyanar

...Petitioner

Vs

1.The Agricultural Production Commissioner
and Principal Secretary to Government,
Secretariat, Chennai-600 009.

2.The Chief Engineer (Agricultural Engineering),
Nandanam, Chennai-600 035.

3.The Assistant Executive Engineer
(Agricultural Engineering),
Agricultural Engineering Department,
Collectorate Complex, Samanthampettai,
Nagapattinam-611 002,
Nagapattinam District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent I.e., the Agricultural Production Commissioner and Principal Secretary to Government, Chennai to issue necessary orders to the third respondent i.e., the Assistant Executive Engineer (Agricultural Engineering), Nagapattinam on the petitioner's representation dated 29.11.2019 within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

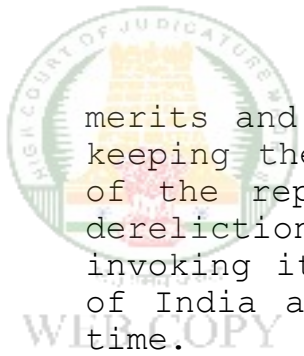
For Respondents : Mr.J.Padmavathi Devi
Special Government Pleader

O R D E R

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

2.Since the petitioner's request to the respondents to pay sixth pay commission arrears and withheld amount of DCRG Rs.15,080/- were not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 29.11.2019, which is still pending.

3. It is needless to point out that whenever a representation of this nature is 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.

4. In the light of the above observations, it would be appropriate to direct the first respondent herein to consider the petitioner's representation dated 29.11.2019, within a stipulated time and thereby the ends of justice could be secured.

5. Accordingly, there shall be a direction to the first respondent to consider the petitioner's representation dated 29.11.2019, on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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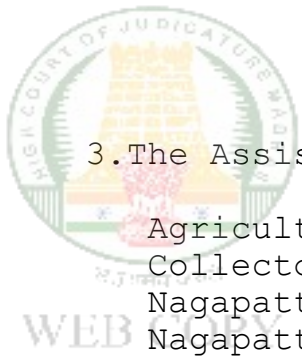
NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Agricultural Production Commissioner
and Principal Secretary to Government,
Secretariat, Chennai-600 009.

2.The Chief Engineer (Agricultural Engineering),
Nandanam, Chennai-600 035.



3.The Assistant Executive Engineer
(Agricultural Engineering),
Agricultural Engineering Department,
Collectorate Complex, Samanthampettai,
Nagapattinam-611 002,
Nagapattinam District.

+1 CC to SGP (SR-661[F] dated 08/01/2021)

Order made in
W.P. (MD) No.110 of 2021

07.01.2021

MA (CO)

NR (10/02/2021) 3P : 5C