



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2021

CORAM:

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) Nos.2407, 2408, 2409, 2412, 2414,
2417, 2418, 2420, 2423 and 2424 of 2021

S.Muruganantham	... Petitioner in WP(MD) No.2407 of 2021
R.Pandian	... Petitioner in WP(MD) No.2408 of 2021
Muralikannan	... Petitioner in WP(MD) No.2409 of 2021
A.Sankar	... Petitioner in WP(MD) No.2412 of 2021
A.Suresh	... Petitioner in WP(MD) No.2414 of 2021
S.Jerald Gnanaraj	... Petitioner in WP(MD) No.2417 of 2021
J.Kannan	... Petitioner in WP(MD) No.2418 of 2021
R.Vasu	... Petitioner in WP(MD) No.2420 of 2021
M.Ramkumar	... Petitioner in WP(MD) No.2423 of 2021
M.Muthu Saravanan	... Petitioner in WP(MD) No.2424 of 2021

Vs

1. The State Government of Tamil Nadu,
Represented by the Principal Secretary/
Agriculture Production Commissioner,
Secretariat, Fort St. George,
Chennai-600 009.
2. The State Government of Tamil Nadu,
Represented by the Secretary,
Finance Department,
Secretariat, Fort St.George,
Chennai-600 009.
3. The State Government of Tamil Nadu,
Represented by the Secretary,
Personnel and Administrative Reforms Department,
Secretariat, Fort St.George, Chennai-600 009.
4. The Director,
Directorate of Agriculture,
Chepauk, Chennai-600 005.
5. The Director,
Directorate of Agriculture Marketing and Agri-Business,
Chennai, Chennai-600 032.



6. The Chairman,
Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C Nagar,
Park Town, Chennai-600 003.

... Respondents
in all WPs

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COMMON PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent No.1 to revise the pay scale of the petitioner in the post of Assistant Agricultural Officer to Pay Band-2 (Rs.9,300-34,800 + Grade Pay 4,200) within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For R-1 to R-5 : Mr.J.Padmavathi Devi,
Special Government Pleader

For R-6 : Mr.K.K.Senthil

COMMON ORDER

By consent of both parties, these writ petitions are taken up for final disposal at the stage of admission itself.

2.Since the petitioners' request to the respondents to revise the pay scale of them in the post of Assistant Agricultural Officer to Pay Band-2 (Rs.9,300-34,800 + Grade Pay 4,200) was not considered, these Writ Petitions have been filed. According to the petitioners, they have made a representation in this regard on 31.12.2020, 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 petitioners' representation dated 31.12.2020, within a stipulated time and thereby the ends of justice could be secured. It is made



clear that this Court has not expressed any of its view with regard to the merits of the claim of the petitioners and that it is open to the concerned respondent to consider the same on its own merits.

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5. Accordingly, there shall be a direction to the first respondent to consider the petitioners' representation dated 31.12.2020, on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, these Writ Petitions stand disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Principal Secretary/
Agriculture Production Commissioner,
State Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-600 009.
2. The Secretary,
State Government of Tamil Nadu,
Finance Department,
Secretariat, Fort St. George,
Chennai-600 009.
3. The Secretary,
State Government of Tamil Nadu,
Personnel and Administrative Reforms Department,
Secretariat, Fort St. George,
Chennai-600 009.

<https://hcservices.hcsmtnm.gov.in/hcservices>



4. The Director,
Directorate of Agriculture,
Chepauk, Chennai-600 005.

5. The Director,
Directorate of Agriculture Marketing and Agri-Business,
Guindy, Chennai-600 032.

+10ccs TO Mr.S.LOUIS, Advocate in SR.Nos.4839
+1cc to Mr.K.K.SENTHIL, Advocate in SR.No.4511

Order made in
W.P.(MD) Nos.2407, 2408, 2409, 2412,
2414, 2417, 2418, 2420, 2423 and 2424
of 2021
10.02.2021

cp
AE/ (02/03/2021) 4P / 17C