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WP(MD) No.7551 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.7551 of 2021

R.Ravichandra Babu

...Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Principal Secretary,
Municipal Administration &
Water Supply (ME1) Department,
Secretariat,
Chennai - 600009.

2. The Commissioner of Municipal Administration,
O/o. The Director of Municipal Administration,
Santhome High Road,
Raja Annamalai Nagar,
Chennai - 600 028.

3. The Commissioner,
Manapparai Municipality,
Trichy,
Trichy District.

4. The Commissioner,
Municipal Corporation,
Dindigul,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to pass appropriate orders on the Petitioner's representation dated 26.10.2020 within a period that may be stipulated by this court.

For Petitioner : M/s.Ajmal Associates
for K.Ponnaiah

For Respondents : M/s.T.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 first respondent to discharge him from the punishment of stoppage of increment for the period of one year with cumulative effect was not considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard on 26.10.2010, 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 26.10.2020, 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 petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the first respondent to consider the petitioner's representation dated 26.10.2010, on its own merits and pass appropriate orders in accordance with law, within a period of two 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/-

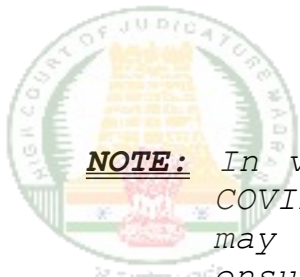
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NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant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

To

1. The Principal Secretary,
State of Tamil Nadu,
Municipal Administration &
Water Supply (ME1) Department,
Secretariat,
Chennai - 600009.
2. The Commissioner of Municipal Administration,
O/o. The Director of Municipal Administration,
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3. The Commissioner,
Manapparai Municipality,
Trichy,
Trichy District.
4. The Commissioner,
Municipal Corporation,
Dindigul,
Dindigul District.

1CC TO M/S.AJMAL ASSOCIATES ADVOCATES SR 15238
1CC TO THE SPL GOVT PLEADER SR 15352

GS
04/05/2021
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W.P. (MD) No.7551 of 2021
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