



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 10.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6817 of 2012

The Chennai Metropolitan Water
Supply and Sewerage Board Officials
and Employees Union,
Rep. by its President N.John Selvaraj,
26, IV Main Road,
Thiruvalluvar Nagar, Chennai - 118.

...Petitioner

Vs

The Chennai Metropolitan Water
Supply and Sewerage Board,
Rep. by its Managing Director,
1, Pumping Station Road,
Chintadripet, Chennai - 600 002.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the
Constitution of India to issue a Writ of Mandamus to direct the
respondent to revise the scale of pay of the Electirical
Operator in EOLT in the respondent Board, in accordance with
G.O.Ms.No.294, dated 10.07.1998

For Petitioner : Mr.K.Shanmugakani

For Respondent : Mr.T.Gowthaman

ORDER

The petitioner herein had given a representation to the
respondent on 10.12.2011, requesting for revision of the scale
of pay of Electrical Operator in EOLT in the respondent Board,
in accordance with G.O.Ms.294, Finance (Pay Cell) Department,
dated 10.07.2009. Since the said representation was not
considered, the present writ petition has been filed.

2. 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.

3. Since the representation given by the petitioner dates back to the year 2011, it would be appropriate that the petitioner be granted liberty to give a fresh representation, with a consequential direction to the respondent herein to consider the same.

4. In the light of the above observations, the petitioner is granted liberty to give a fresh representation to the respondent herein ventilating his grievances. On receipt of the same, the respondent shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

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

Sd/-
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

hvk

To

The Chennai Metropolitan Water
Supply and Sewerage Board,
Rep. by its Managing Director,
1, Pumping Station Road,
Chintadripet, Chennai - 600 002.

+1cc to Mr.T.Gowthaman, Advocate, S.R.No.8950

W.P.No.6817 of 2012

MT(CO)
SU(25/02/2022)