



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.06.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE M. S. RAMESH**

W.P. (MD)No.10942 of 2022

& WMP(MD)No.7918 of 2022

WEB COPY

P.Vetharethinam

... Petitioner

/vs./

The Chief Engineer,
Agricultural Engineering,
Nandanam,
Chennai - 35.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondent to regularize the period of suspension from 17.10.2003 to 05.07.2017 which treated as a duty period in view of the exoneration of both the cases and disburse all other consequential monetary benefits.

For Petitioner	:	Mr.Mohamed Suhail for M/s.Ajmal Associates
For Respondent	:	Mr.A.Sivanupandian Government Advocate

ORDER

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

2.The petitioner herein had given a representation to the respondent on 07.08.2020 seeking for regularization of the period of suspension from 17.10.2003 to 05.07.2017, which treated as a duty period, in view of the exoneration of both the cases and disburse all other consequential monetary benefits. Since the said representation was not considered, the present writ petition has been filed.

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, there shall be a direction to the respondent herein to consider the petitioner's representation dated 07.08.2020 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views 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. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected MP is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

The Chief Engineer,
Agricultural Engineering,
Nandanam,
Chennai - 35.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-24715[F] dated 09/06/2022)

+1 CC to M/s.SPL.GP (SR-24903[F] dated 09/06/2022)

Order made in
W.P.(MD) No.10942 of 2022
Dated:08.06.2022

ck (CO)

TR(20.06.2022) 2P 4C