



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.06.2022**

CORAM:

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

W.P. (MD) No. 11000 of 2022

Sekar Kannapiran

... Petitioner

/vs./

The Corporation Commissioner,
O/o. The Thoothukudi Corporation,
Thoothukudi District,
Thoothukudi.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondent herein to disburse the payment of revised pay scale arrears along with accrued interest which the petitioner is entitled, by consider the petitioner's representation dated 27.05.2019 and 13.03.2020.

For Petitioner : Mr.C.Suresh Kannan

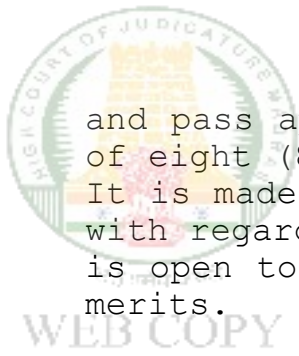
ORDER

This writ petition has been filed seeking for a direction to the respondent herein to disburse the payment of revised pay scale arrears along with accrued interest, which the petitioner is entitled, by consider the petitioner's representation dated 27.05.2019 and 30.03.2020.

2.The petitioner herein had given representations to the respondent on 27.05.2019 and 30.03.2020 seeking for disbursement of the payment of revised pay scale arrears along with accrued interest, which the petitioner is entitled. Since the said representations were 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 representations dated 27.05.2019 and 30.03.2020 on its own merits



and pass appropriate orders in accordance with law, within a period of eight (8) 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.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

The Corporation Commissioner,
O/o. The Thoothukudi Corporation,
Thoothukudi District,
Thoothukudi.

+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-24669[F] dated
08/06/2022)

W.P.(MD) No.11000 of 2022
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MGJ(16.06.2022) 2P 3C