



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.06.2022**

CORAM:

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

W.P. (MD) No. 11921 of 2022

P.Thirugnanam

... Petitioner

/vs./

1.The Agricultural Production Commissioner and
Principal Secretary to Government,
Agriculture Department,
Secretariat,
Chennai-600 009.

2.The Joint Director of Agriculture,
Tallakulam,
Madurai-625 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent i.e., the Agricultural Production Commissioner and Principal Secretary to Government, Chennai to pass appropriate orders on the petitioner's representation, dated 30.03.2022 regarding re-fixation of his pay and pension as per VIIth Pay Commission Recommendations in the cadre of Assistant Director of Agriculture, within a specified time frame that may be fixed by this Court.

For Petitioner	:	Mr.S.Visvalingam
For Respondents	:	Mr.G.Suriyananth Additional Government Pleader

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 respondents on 30.03.2022 seeking for re-fixation of his pay and pension as per VIIth Pay Commission Recommendations in the cadre of Assistant Director of Agriculture. 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 first respondent herein to consider the petitioner's representation dated 30.03.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve 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 //

/06/2022

Sub Assistant Registrar(CS)

btr/vji

To

1.The Agricultural Production Commissioner and
Principal Secretary to Government,
Agriculture Department,
Secretariat,
Chennai-600 009.

2.The Joint Director of Agriculture,
Tallakulam,
Madurai-625 002.

+1 CC to M/s.S. VISVALINGAM, Advocate (SR-26158[F] dated 16/06/2022)

+1 CC to M/s.SPL.GP (SR-26556[F] dated 17/06/2022)

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