



W.P.(MD).No.14190 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.07.2022

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD).No.14190 of 2022

S.Arokiaaraj

... Petitioner

Vs.

1.The Accountant General,
Office of the Principal Accountant General (A&E),
No.361, Anna Salai,
Chennai-600 018.

2.The Director General of Employment and Training,
C.T.I Campus,
Thiru Vi Ka Industrial Estate,
Guindy,
Chennai-600 032.

3.The Principal,
The Seshasayee Institute of Technology,
Trichy-620 010.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to re-fix the petitioner's grade pay based on G.O.Ms.No.325, Finance (Pay Cell) Department, dated 22.07.2013 on the basis of petitioner's representation, dated 15.06.2020 within time frame fixed by this Court.



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For Petitioner : Mr.T.Vadivelan
For R-1 : Mrs.R.Mahalakshmi,
Standing Counsel.
For R-2 : Mr.S.Shaji Bino
Special 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 15.06.2020 seeking for re-fixation of the petitioner's grade pay based on G.O.Ms.No.325, Finance (Pay Cell) Department, dated 22.07.2013. 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



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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 respondents herein to consider the petitioner's representation dated 15.06.2020 on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) 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. There shall be no order as to costs.

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Index : Yes / No
Internet : Yes/ No
btr/TM



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To

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M.S.RAMESH, J.

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