



W.P.(MD).No.16048 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.16048 of 2022

S.Arockiya Nirmal Rajan

... Petitioner

Vs.

1.The Commissioner,
Madurai Corporation,
Madurai.

2.The Corporation Education Officer,
Madurai Corporation,
Madurai.

3.The Headmistress,
Ponmudiyar Corporation Girls Higher Secondary School,
Madurai-2.

4.The Director of School Education,
DPI compound,
Chennai-6.

...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 consider the petitioner's representation dated 06.12.2021 and consequently set right the pay anomaly between the petitioner and his junior.



W.P.(MD).No.16048 of 2022

For Petitioner : M/s.M.Muthu Kavitha
for Mr.K.Muthu Ganesa Pandian
For R-1 and R-2 : Mr.S.Vinayak,
Standing Counsel.
For R-3 and R-4 : 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 second respondent on 06.12.2021 seeking to set right the pay anomaly between the petitioner and his junior. 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,



W.P.(MD).No.16048 of 2022

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 second respondent herein to consider the petitioner's representation, dated 06.12.2021, 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 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.

22.07.2022

Index : Yes / No
Internet : Yes/ No
Lm/btr



W.P.(MD).No.16048 of 2022

To

WEB COPY

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W.P.(MD).No.16048 of 2022

M.S.RAMESH, J.

Lm/btr

W.P.(MD).No.16048 of 2022

22.07.2022