



W.P.(MD).No.16034 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.16034 of 2022

P.Gnanavaram

... Petitioner

Vs.

1.The Additional Director of Agriculture,
Chepauk,
Chennai-5.

2.The Regional Joint Director of Agriculture,
Nagercoil Post,
Kanyakumari District.

3.The Regional Joint Director of Agriculture,
Nirubar Colony,
Tirunelveli Post,
Tirunelveli District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 and 3 to pay salary for the months of May and June, 2022 and for succeeding months to the petitioner, pursuant to the proceedings of the third respondent in செ.மு.ஆணை.எண்:நி4/3030/2022 dated 02.05.2022, by considering the petitioner's representation dated 26.06.2022, within the period that may be stipulated by this Court.



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For Petitioner : Mr.K.Ponnaiah
For Respondents : Mrs.D.Farjana Ghoushia,
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 26.06.2022 seeking for payment of her salary for the months of May, June, 2022 and for the succeeding months. 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.



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4. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation, dated 26.06.2022, on its own merits and pass appropriate orders in accordance with law, within a period of six (6) 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.

22.07.2022

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

To

- 1.The Additional Director of Agriculture,
Chepauk,
Chennai-5.
- 2.The Regional Joint Director of Agriculture,
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Kanyakumari District.
- 3.The Regional Joint Director of Agriculture,
Nirubar Colony,
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M.S.RAMESH, J.

Lm/btr

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