



WP(MD)No.16911 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.07.2022**

CORAM:

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

W.P.(MD)No.16911 of 2022

S.Seethalakshmi

... Petitioner

/vs./

1.State of Tamil Nadu

Rep. by The Principal Secretary,
Department of Health and Family Welfare,
State Secretariat, Fort St. George,
Chennai 600 009.

2.The Director,

Directorate of Public Health and Preventive Medicine,
DMS Complex,
Thennampettai, Chennai.

3.The District Collector,

Office of the District Collector,
Virudhunagar District.

4.The Deputy Director,

Directorate of Public Health and Preventive Medicine,
Sivakasi (Division),
Virudhunagar District.

5.The Medical Officer,

Primary Health Center,
Nenmeni, Sattur Vattam,
Virudhunagar District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents to enhance the petitioner's salary as per minimum wages structure and to regularize the petitioner's service with all consequential and monetary benefits by considering the completion of 13 years of the petitioner's service in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.A.Sivanupandian

Government Advocate

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 21.07.2022 seeking for enhancement of her salary as per minimum wages structure and regularization of her service with all consequential and monetary benefits. Since the said representation was not considered, the present writ petition has been filed.



WP(MD)No.16911 of 2022

WEB COPY

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 second respondent herein to consider the petitioner's representation dated 21.07.2022 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.



WP(MD)No.16911 of 2022

WEB COPY 5. With the above direction, the Writ Petition stands disposed of. No costs.

29.07.2022

Index : Yes / No

Internet : Yes / No

sjj/sm



WP(MD)No.16911 of 2022

WEB COPY

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WEB COPY



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M.S.RAMESH, J.

sjj/sm

Order made in
W.P.(MD) No.16911 of 2022

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