



WP(MD)No.17832 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.08.2022**

CORAM:

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

W.P.(MD)No.17832 of 2022

- 1.S.Paramasivam
- 2.N.Nallathambi
- 3.M.Ganesan
- 4.R.Murugesan
- 5.K.Govindhan
- 6.M.Mani
- 7.R.Ramalingam
- 8.K.Sermalai
- 9.R.Pandiyan
- 10.S.Ramakkal
- 11.K.Periya Karuppan
- 12.R.Perumal
- 13.M.Rajathi
- 14.P.Chinna Mayandi
- 15.C.Veeramani
- 16.R.Arunachalam
- 17.S.Kasimayan
- 18.C.Mathivanan
- 19.P.Veerammal
- 20.R.Krishnan
- 21.A.Mayakkal
- 22.P.Periya Karuppan
- 23.P.Ramanathan
- 24.R.Sekar
- 25.A.Sekar
- 26.K.Azhagu Raj



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27.C.Chandra Sekarapandiyan
28.S.Rajendran
29.A.Peter
30.V.Raja
31.S.Selvam
32.E.Maadhu
33.S.Kandasamy
34.G.Viswanathan
35.S.Palanisamy
36.A.Anbazzhagan
37.A.Arumugam @ Murugan
38.A.Murugesan
39.M.Balakrishnan
40.P.Kanagaraj
41.R.Mani
42.S.Anthony
43.S.Palani
44.V.Manikandan
45.T.Vijayalakshmi

... Petitioners

/vs./

- 1.The State of Tamil Nadu,
Represented by the Secretary to Government,
Public Works Department and Water Resources Department,
Secretariat, Fort St.Geroge, Chennai – 600 009.
- 2.The Engineer in Chief (WRO) &
Chief Engineer (General),
Public Works Department & Water Resources Department,
Chepauk, Chennai – 600 005.
- 3.The Engineer in Chief (General),
Public Works Department,
Chepauk, Chennai – 600 005.

... 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 1st respondent to consider the petitioner's representation dated 17.05.2022 based on the recommendation made by the 2nd respondent in his Letter N.S4(4) / 36225/2013 dated 08.04.2016 and to revise the pay of the petitioners (unskilled posts) from Rs.4800-10,000 + Grade pay 1300 to Rs 5200- 20200 + Grade Pay 1900 in accordance with G.O.Ms.No. 338 Finance (Pay Cell) Department, dated 26.08.2011 with all attendant and monetary benefits, within in a stipulated time may be fixed by this Court.

For Petitioners : Mr.M.Saravanakumar

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 petitioners herein had given representations to the respondents on 17.05.2022, 30.05.2022 and 06.06.2022 seeking for revision of pay of the petitioners. Since the said representations were not considered, the present writ petition has been filed.



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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 petitioners' representations dated 17.05.2022, 30.05.2022 and 06.06.2022 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 petitioners and that it is open to the concerned respondent to consider the same on its own merits.



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

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(2/2)

Index : Yes / No
Internet : Yes / No
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M.S.RAMESH, J.

Sm

TO:

- 1.The Secretary to Government,
Public Works Department and Water Resources Department,
Secretariat, Fort St.Geroge, Chennai – 600 009.
- 2.The Engineer in Chief (WRO) &
Chief Engineer (General),
Public Works Department & Water Resources Department,
Chepauk, Chennai – 600 005.
- 3.The Engineer in Chief (General),
Public Works Department,
Chepauk, Chennai – 600 005.

Order made in
W.P.(MD)No.17832 of 2022
(2/2)

Dated:
10.08.2022