



WP(MD)No.18143 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.18143 of 2022

E.Murugaesan

... Petitioner

/vs./

1.The Secretary to Government,
Law Department,
Government of Tamil Nadu,
The Secretariat, St., George Fort,
Chennai 600 009.

2.The Director of Legal Studies,
O/o., Directorate of Legal Studies,
Kelleys, Chennai 10.

3.The Principal,
Government Law College,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondents to sanction Career Advancement from annual grade pay of Rs.8,000/- to Rs.9,000/- i.e., stage-III to stage-IV after the sanction of Career Advancement from annual grade pay of Rs. 7,000/- to Rs.8,000/- i.e., stage-II to stage-III in the light of G.O.No.350 of 2009



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with effect from 13.07.2017 onwards by considering petitioner's representation dated 21.09.2020.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.A.Kannan
Additional 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 21.09.2021 seeking for sanction of career advancement. 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



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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 and second respondents herein to consider the petitioner's representation dated 21.09.2021 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 respondents to consider the same on its own merits.

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

12.08.2022

Index : Yes / No

Internet : Yes / No

Rmk



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M.S.RAMESH, J.

Rmk

To

- 1.The Secretary to Government,
Law Department,
Government of Tamil Nadu,
The Secretariat, St., George Fort,
Chennai 600 009.
- 2.The Director of Legal Studies,
O/o., Directorate of Legal Studies,
Kelley's, Chennai 10.
- 3.The Principal,
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Order made in
W.P.(MD) No.18143 of 2022

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