



WP(MD)No.18945 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.08.2022**

CORAM:

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

W.P.(MD)No.18945 of 2022

R.Alagesan

... Petitioner

/vs./

1.The Secretary,
Department of Personal and Administrative Reforms
Department/Human Resources Department,
St.George Fort,
Chennai.

2.The Secretary,
Department of Agriculture Engineering Department,
St.George Fort,
Chennai.

3.The Chief Engineer,
Department of Agriculture Engineering,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to consider the representation of the petitioner dated 29.03.2021 and to give the pay benefits by considering the post-graduation of the petitioner.



WP(MD)No.18945 of 2022

WEB COPY

For Petitioner : Mr.S.Ramsundarvijayraj

For Respondents : Mr.M.Siddharthan

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 29.03.2021 seeking for pay benefits by considering his post-graduation. 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



WP(MD)No.18945 of 2022

WEB COPY

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 respondents herein to consider the petitioner's representation dated 29.03.2021 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 respondent to consider the same on its own merits.

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

22.08.2022

Index : Yes / No
Internet : Yes / No
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WP(MD)No.18945 of 2022

M.S.RAMESH, J.

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TO:

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St.George Fort,
Chennai.
- 2.The Secretary,
Department of Agriculture Engineering Department,
St.George Fort,
Chennai.
- 3.The Chief Engineer,
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Order made in
W.P.(MD)No.18945 of 2022

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