



WP(MD)No.20010 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2022

CORAM:

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

W.P.(MD)No.20010 of 2022

B.Harris

... Petitioner

/vs./

- 1.The Secretary to Government,  
Treasuries and Accounts Department,  
St.George Fort,  
Chennai 600 009.
- 2.The Director of Treasuries and Accounts,  
Panagal Buildings,  
Saidapet, Chennai 600 015.
- 3.The District Treasurer,  
The District Treasury Office,  
Nagercoil,  
Kanyakumari District.
- 4.The Sub Treasurer,  
Vilavancode Sub Treasury Office,  
Vilavancode, Kanyakumari District.
- 5.The Sub Treasurer,  
Eraniel Sub Treasury Office,  
Eraniel, Kanyakumari District.



WP(MD)No.20010 of 2022

6.The Sub Treasurer,  
Karungal Sub Treasury Office,  
Karungal, Kanyakumari District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents to regularise the service of the petitioner as Office Assistant with effect from 01.01.2001 and to grant all service and monetary benefits by considering the representation of the petitioner dated 04.05.2022 within the time stipulated by this Court.

For Petitioner : Mr.S.C.Herold Singh  
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 04.05.2022 seeking to regularize his service from 26.06.2001 and consequential benefits. Since the said representation was not considered, the present writ petition has been filed.



WP(MD)No.20010 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 first respondent herein to consider the petitioner's representation dated 04.05.2022 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.20010 of 2022

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

**29.08.2022**

Index : Yes / No

Internet : Yes / No

*Rmk*

To

1. The Secretary to Government,  
Treasuries and Accounts Department,  
St. George Fort,  
Chennai 600 009.
2. The Director of Treasuries and Accounts,  
Panagal Buildings,  
Saidapet, Chennai 600 015.
3. The District Treasurer,  
The District Treasury Office,  
Nagercoil,  
Kanyakumari District.
4. The Sub Treasurer,  
Vilavancode Sub Treasury Office,  
Vilavancode, Kanyakumari District.
5. The Sub Treasurer,  
Eraniel Sub Treasury Office,  
Eraniel, Kanyakumari District.
6. The Sub Treasurer,  
Karungal Sub Treasury Office,  
Karungal, Kanyakumari District.

4/5



WEB COPY



WP(MD)No.20010 of 2022

**M.S.RAMESH, J.**

*Rmk*

Order made in  
**W.P.(MD) No.20010 of 2022**

Dated:  
**29.08.2022**