



WP(MD)No.20859 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.20859 of 2022

S.Abdul Mazeed

... Petitioner

-Vs-

1.The Agricultural Production Commissioner and
Principal Secretary to Government,
Department of Agricultural, Secretariat,
Chennai-600 009.

2.The Director of Agriculture,
Ezhilagam, Chepauk, Chennai-600 005.

3.The Joint Director of Agriculture,
Nirupar Colony, Anna Nagar,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second and third respondents ie., the



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Director of Agriculture, Chennai and the Joint Director of Agriculture, Tirunelveli to forward the proposals to the Government for passing final orders refixing the petitioner's pay on par with the petitioner's junior P.T.Manimaran as was done recently by the Government in G.O.(2D)No.180, Agriculture and Farmers Welfare (AA4(2)) Department, dated 02.12.2021, within a specified time frame, that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.G.Suriyananth,
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 01.04.2021, to forward the proposals to the Government for passing final orders refixing the petitioner's pay on par with the petitioner's junior P.T.Manimaran as was done recently by the Government in G.O.(2D)No.180, Agriculture and Farmers Welfare (AA4(2)) Department, dated 02.12.2021. Since the said representation was 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 respondents 2 and 3 herein to consider the petitioner's representation dated 01.04.2021, 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.



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02.09.2022

(½)

Index : Yes / No

Internet : Yes / No

Myr / Rmk

TO:

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M.S.RAMESH, J.

Myr / Rmk

Order made in
W.P.(MD)No.20859 of 2022

Dated:
02.09.2022

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