



WP(MD)No.21199 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.07.2022**

CORAM:

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

W.P.(MD)No.21199 of 2021

and

W.M.P.(MD)No.17780 of 2021

K.Arivoli

... Petitioner

/vs./

1.The Airports Authority of India,
Represented by its Chariman,
Rajiv Gandhi Bhawan,
Safdurjung Airport,
New Delhi – 110 003.

2.The Executive Director (HR),
The Airports Authority of India, CHQ,
Rajiv Gandhi Bhawan,
Safdurjung Airport,
New Delhi – 110 003.

3.The General Manager (HR),
Airports Authority of India,
Southern Region,
Chennai – 600 027.

4.The Airport Director,
Airports Authority of India,
Trichy International Airport,
Trichy – 620 007.

... 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 respondents to fix and determine the seniority of the petitioner in the cadre of General Manager (E-8 Grade), by giving notional promotion at par with his junior.

For Petitioner : Mr.Dinesh Hari Sudarsan

For Respondents : Mr.C.Godwin

Standing Counsel

ORDER

The petitioner herein had given representations to the respondents on 12.03.2020 and 09.06.2020 seeking for determining the seniority of the petitioner in the cadre of General Manager (E-8 Grade), by giving notional promotion on par with his junior. Since the said representation was not considered, the present writ petition has been filed.

2.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-



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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.

3.In the light of the above observations, there shall be a direction to the petitioner to give a fresh representation to the respondents, though he has made representations, dated 12.03.2020 and 09.06.2020, seeking for determining the seniority of the petitioner in the cadre of General Manager (E-8 Grade), by giving notional promotion on par with his junior and on receipt of such representation, the second and third respondents herein shall consider the same, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of such representation. 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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4. With the above direction, the Writ Petition stands disposed of. No costs.

Consequently, connected Miscellaneous Petition is closed.

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Index : Yes / No

Internet : Yes / No

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TO:

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- 2.The General Manager (HR),
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M.S.RAMESH, J.

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Order made in
W.P.(MD) No.21199 of 2021

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