



W.P.No.5025 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2023

CORAM:

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

**W.P.No.5025 of 2023**

D.Maridass

...Petitioner

Vs

- 1.The Principal Secretary to Government,  
Rural Development and Panchayat Raj Department,  
Fort St. George, Chennai – 600 009.
- 2.The Deputy Secretary/Joint Secretary,  
Government of Tamil Nadu,  
Rural Development and Panchayat Raj Department,  
Fort St. George, Chennai – 600 009.
- 3.The Director of Panchayat,  
Kuralagam Building,  
Chennai – 600 108.
- 4.The Commissioner Municipal Administration,  
Chepauk, Chennai – 600 005.
- 5.The District Collector,  
Kancheepuram District.
- 6.The President,  
Kelambakkam Panchayat,  
Kancheepuram District.

...Respondents



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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 13.10.2022 seeking regularization of his services and bring him into time scale of pay with consequential, service and monetary benefits within a time frame.

|                   |                                                          |
|-------------------|----------------------------------------------------------|
| For Petitioner    | : Mr.P.Sankaranarayanan                                  |
| For R1 to R4 & R6 | : Mr.V.Stalin Abhimanyu<br>Additional Government Pleader |
| For R5            | : Mr.D.Ravinchandran<br>Special Government Pleader       |

### **ORDER**

With the consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner had given a representation to the first respondent on 13.10.2022 seeking regularization of his service with consequential service and monetary benefits. 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



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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 13.10.2022 on its own merits and pass appropriate orders in accordance with law, within a period of six 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.



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

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

**22.02.2023**

Index: Yes/No

Speaking order/Non-speaking order

hvk

To

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