



WEB COPY



W.P.No.6347 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.6347 of 2023
and W.M.P.No.6385 of 2023

1.M. Venkatesan

2.K. Gayathri

3.K. Kannan

4.D. Santhi

5.S. Hemavathi

6.M. Govindammal

... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Adi Dravidar & Tribal Welfare Department,
Secretariat, Fort St. George,
Chennai – 600 009.

2.The Director of
Adi Dravidar Welfare Department,
Chepauk, Chennai – 600 005.

3.The District Adi Dravidar & Tribal Welfare Officer,
Thiruvallur,
Thiruvallur District.

... Respondents



W.P.No.6347 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 11.10.2022 to regularize the service of the petitioners in the post of Sanitary Worker with regular time scale of pay on par with regularly appointed Sanitary Workers in the Adi Dravidar Welfare Department with all consequential and other attendant benefits including arrears of salary, within a time frame to be fixed by this Court.

For Petitioners : M/s.S. Esairani Narasimman

For Respondents : M/s.P. Vijaya Devi,
Government Advocate

ORDER

M/s.P. Vijaya Devi, learned Government Advocate, takes notice for the respondents. With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioners herein have given representation on 11.10.2022 to the respondents, seeking for regularization of their services in the post of Sanitary Workers. Since the said representation was not considered, the present Writ Petition has been filed.



W.P.No.6347 of 2023

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 the Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observation, there shall be a direction to the respondents herein, to consider the petitioners' representation dated 11.10.2022, on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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 petitioners and that it is open to the concerned respondent to consider the same on its own merits.



W.P.No.6347 of 2023

M.S.RAMESH, J.

Sni

5. With the above direction, the Writ Petition stands ordered. No costs. Connected miscellaneous petition is closed.

01.03.2023

Speaking/Non-speaking Order

Internet: Yes/No

Index: Yes/No

Neutral Citation: Yes/No

Sni

To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
Adi Dravidar & Tribal Welfare Department,
Secretariat, Fort St. George,
Chennai – 600 009.
- 2.The Director of
Adi Dravidar Welfare Department,
Chepauk, Chennai – 600 005.
- 3.The District Adi Dravidar & Tribal Welfare Officer,
Thiruvallur,
Thiruvallur District.

W.P.No.6347 of 2023