



WEB COPY



W.P.No. 7632 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2023

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

W.P.No. 7632 of 2023

M/s Everwin Security Services Pvt. Ltd.,
Rep.by its Managing Director
C.Murugan

...Petitioner

Vs

1. The Director General
Central Govt. Health Scheme
Ministry of Health and Family Welfare,
Govt. Of India, Nirman Bhavan,
New Delhi-110011

2. The Additional Director
Central Govt. Health Scheme
Ministry of Health and Family Welfare,
Govt. Of India, Rajaji Bhavan, First floor,
New Delhi-110011

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representations dated 03.10.2022, 26.10.2022 and reminder representation dated 03.02.2023 made by the petitioner, in respect of the



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difference in minimum wages.

For Petitioner : Mr.J.Satheesh

For Respondents : Mr.M.Arvind Kumar,
Senior Panel Counsel

ORDER

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

2. The petitioner herein had given representations to the respondents on 03.10.2022, 26.10.2022 and reminder representation dated 03.02.2023, claiming minimum wages, which was not considered by the respondents and hence, 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 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



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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 herein to consider the petitioner's representations on its own merits and pass appropriate orders in accordance with law, within a period of four 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 respondents to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

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Index:Yes/No
dsa/Jer



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J.NISHA BANU,J.

Dsa/Jer

To

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