



WEB COPY



W.P.No.9406 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.9406 of 2023

K.Ashokan

...Petitioner

Vs

- 1.The Government of Tamil Nadu
rep. by its Additional Chief Secretary,
Revenue and Disaster Management,
Secretariat, Chennai-600 009.
- 2.The Principal Secretary /
Commissioner of Revenue Administration,
Revenue Administration,
Chepauk, Chennai-600 005.
- 3.The Principal Secretary to Government,
Social Welfare and Nutritious Meal-
Programme (SW4) Department,
Secretariat, Chennai-600 009.
- 4.The Principal Secretary /
Commissioner of Differently Abled /
Commissioner for Welfare Abled,
Jawaharlal Nehru, Inner Ring Road,
K.K. Nagar, Chennai-600 078.
- 5.The Commissioner,
State Commissionerate for Welfare of the
Differently Abled,
No.5, Kamarajar Salai,
Lady Wellington College Campus,
Chennai-600 005.



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6.The District Collector,
Tiruvannamalai District,
Tiruvannamalai-606 604.

7.The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District-606 601.

8.The Tahsildar,
Chengam Taluk,
Tiruvannamalai District-606 701.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representations dated 25.10.2022 and 22.12.2022 and thereby direct the respondents to pay salary under regular time scale of pay to the petitioner.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.P.Gurunathan
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 representations to the respondents on 25.10.2022 and 22.12.2022 seeking for



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regularisation of his service and pay the salary under regular time scale of pay. Since the said representations were not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever representations of this nature are 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 representations 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 herein to consider the petitioner's representations dated 25.10.2022 and 22.12.2022 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



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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.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

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Index:Yes/No
Order: Speaking/Non-speaking

DP



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M.S.RAMESH,J.

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