



WEB COPY



W.P. No. 11685 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 11685 of 2023

and

W.M.P. No. 11576 of 2023

R.Rabindranath

... Petitioner

-VS-

1. The Secretary to Government
Health and Family Welfare Department
Secretariat
Chennai – 600 009.
2. The Commissioner
Food Safety and Drug Administration Department
Anna Salai
Chennai – 600 006.
3. The Designated Officer
Food Safety and Drug Administration Department
Vellore District
Vellore.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to pass appropriate orders on the representation of the Petitioner lastly submitted on 22.10.2021 for sanction of full additional charge allowance for the period from 25.07.2017 to 01.07.2018 and for a further period from 14.08.2020 till date, within a reasonable period as may be fixed by the Court.



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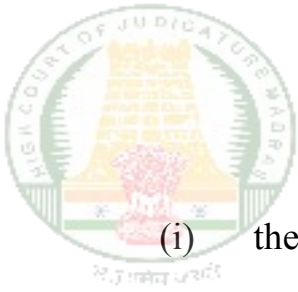
For Petitioner : Mr. T.Ranganathan
For Respondents : Mr. K.Karthick Jeganath
Government Advocate

ORDER

Heard Mr. T.Ranganathan, Learned Counsel for the Petitioner and Mr. K.Karthick Jeganath, Learned Government Advocate, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made representation dated 22.10.2021 to the Third Respondent for sanction of additional charge allowance for the periods from 25.07.2017 to 01.07.2018 and from 14.08.2020 till date, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-



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- (i) the concerned authority shall immediately examine the representations dated 22.10.2021 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain his position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment;
- (v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period of three months from the date of passing of that order; and
- (vi) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.



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In the result, the Writ Petition is disposed on the aforesaid terms.

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Consequently, the connected Miscellaneous Petition is closed. No costs.

19.04.2023

Maya

Index: Yes/No

Neutral Citation : Yes/No

Note: Issue order copy by 01.06.2023.

To

1. The Secretary to Government
Health and Family Welfare Department
Secretariat
Chennai – 600 009.
2. The Commissioner
Food Safety and Drug Administration Department
Anna Salai
Chennai – 600 006.
3. The Designated Officer
Food Safety and Drug Administration Department
Vellore District
Vellore.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

Maya

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