



W.P.No.17801 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17801 of 2023

R.Rajaniganth

...Petitioner

Vs.

1.The Secretary cum Chairman,
Puducherry Agro Service &
Industries Corporation Ltd., (PASIC),
Thattanchavady, Puducherry.

2.The Managing Director,
Puducherry Agro Service &
Industries Corporation Ltd., (PASIC),
Thattanchavady, Puducherry.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to grant time scale of pay and regularize the service of the petitioner by considering his representation dated 20.07.2022 on par with similarly placed persons.

For Petitioner : Mr.K.Balu

For Respondents : Mr.S.Raveekumar
Government Pleader (Puducherry)



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ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioner had given a representation to the respondents on 20.07.2022 seeking for regularization of his services on par with similarly placed persons. 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 him 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 him to consider the same within a stipulated time.



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4. In the light of the above observations, the second respondent herein is directed to consider the petitioner's representation dated 20.07.2022, on its own merits and pass appropriate orders in accordance with law, within a period of twelve 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.

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

No costs.

23.06.2023

Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

- 1.The Secretary cum Chairman,
Puducherry Agro Service &
Industries Corporation Ltd., (PASIC),
Thattanchavady, Puducherry.
- 2.The Managing Director,
Puducherry Agro Service &
Industries Corporation Ltd., (PASIC),
Thattanchavady, Puducherry.

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