



WEB COPY



W.P.No.20571 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.20571 of 2022

1.N.Arun
2.A.Prakash

...Petitioners

Vs

1. Deputy Secretary to Government,
Higher Education (K2) Department,
Secretariat, Chennai-600 009.

2. Thiruvalluvar University
Rep by its Registrar,
O/o. The Registrar,
Thiruvalluvar University,
Serkadu,
Vellore-632 115.

...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 petitioners' representations dated 28.04.2022 to fix a revised scale of basic pay + Grade Pay of Rs.9300-34800+4400 retrospectively since 27.10.2010 as on par with equal cadre of University of Madras and equivalent cadre employees appointed by the 2nd respondent in the year 2015.



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For Petitioners : Mr.B.Karthikeyan
For Respondents : Mr.S.Prabhakaran
Government Advocate
For R.1
Mr.M.C.Swamy
For R.2

ORDER

Heard Mr.B.Karthikeyan, learned counsel for the petitioner and Mr.S.Prabhakaran, learned Government Advocate for the first respondent and Mr.M.C.Swamy, learned counsel for the second respondent.

2. The petitioners herein have given a representation to the respondents on 28.04.2022 seeking for a direction to fix a revised scale of basic pay on par with equal cadre of University of Madras and equivalent cadre employees appointed by the 2nd respondent in the year 2015. 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 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



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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 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 second respondent herein to consider the petitioners' representation dated 28.04.2022 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, after giving opportunity to all the concerned parties. 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 second respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

01.06.2023
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Index: Yes/No
Speaking order/Non-speaking order
sr



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M.S.RAMESH,J.,

sr

To

1. Deputy Secretary to Government,
Higher Education (K2) Department,
Secretariat, Chennai-600 009.
2. The Registrar,
Thiruvalluvar University,
Thiruvalluvar University,
Serkadu,
Vellore-632 115.

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