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W.P.No.18135 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18135 of 2023

M.Sugumar

...Petitioner

Vs

1.The Director,
Information and Public Relations Department,
Fort St. George, Chennai – 600 009.

2.The Secretary,
Information and Public Relations Department,
Fort St. George, Chennai – 600 009.

3.The Joint Director [Publication],
Tamil Arasu Press,
6, Rajiv Gandhi Salai,
Taramani, Chennai – 600 113.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 19.05.2023 for revision of his scale of pay as per G.O.Ms.No.325 Finance [pay Cell] Department dated 22.07.2013 and dispose of the same by passing appropriate orders on the petitioner's representation dated 18.05.2021, 03.03.2022 and 19.05.2023 within a stipulated period.



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For Petitioner : Mr.N.Srinivasan

For Respondents : Mr.P.Gurunathan
Additional Government Pleader

ORDER

With the consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given a representation to the respondents on 19.05.2023, seeking for revision of his scale of pay, as per G.O.Ms.No.325 Finance [pay Cell] Department dated 22.07.2013. 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



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invoking its extraordinary powers under Article 226 of the Constitution of the 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 first respondent herein to consider the petitioner's representation dated 19.05.2023, on its own merits and pass appropriate orders in accordance with law, within a period of eight 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 made by 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.

21.06.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

hvk

To

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