



W.P.No.19348 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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M.Karuppan

...Petitioner

Vs

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Rural Development Department,
Fort St.George, Chennai – 600 009.

2.The Director of Rural Development,
Panagal Building, Saidpet,
Chennai – 600 015.

3.The District Collector,
Erode, Erode District.

4.The Block Development Officer,
[Village Panchayat],
Bhavanisagar Panchayat Union,
Erode District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to forthwith extend the benefit of G.O.Ms.No.39, Rural Development Department



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dated 07.05.2013 by granting Special time scale of pay of Rs.1300-3000 + 300/- with effect from 15.09.2010 continuously with all arrears to the petitioner.

For Petitioner	: Mr.K.Raja
For R1 to R3	: Mr.P.Balandhandayutham Additional Government Pleader
For R4	: Mr.S.Rajesh Government Advocate

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 11.05.2023, requesting to extend the benefit of G.O.Ms.No.39, Rural Development Department dated 07.05.2013. The said representation has not been considered till date. Hence, the petitioner has approached this Court by way of this Writ Petition.



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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 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 respondents herein to consider the petitioner's representation dated 11.05.2023, 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.



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M.S.RAMESH,J.

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

No costs.

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Index:Yes/No

Speaking order/Non-speaking order

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To

- 1.The Secretary,
Government of Tamil Nadu,
Rural Development Department,
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Chennai – 600 015.
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