



WEB COPY



W.P.No.27559 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.27559 of 2023

M. Rajendran

... Petitioner

Vs.

1.The Secretary to Government of Tamil Nadu,
Home Department,
Secretariat, St. George Fort,
Chennai.

2.The Director General of Police,
Tamil Nadu.

3.The Superintendent of Police,
Villupuram District.

4.The Administrative Officer (Administration),
Superintendent of Police,
Villupuram District.

5.The Office of the Principal Accountant General (A&R),
Tamil Nadu, 361 Anna Salai,
Chennai – 600 018.

... 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 consider and pass appropriate orders on the representation of the



W.P.No.27559 of 2023

petitioner dated 01.08.2023 for rectification of pay anomaly based on the proposal of 3rd respondent submitted through 2nd respondent in Letter Na.Ka.No.D3/5432/2022 dated 28.03.2022 within a reasonable period as may be fixed by this Court.

For Petitioner : Mr.P.Gopiraja

For Respondents : Mr.V.P.R. Elamparithi,
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner, as well as the learned Additional Government Pleader appearing for the respondents.

2. The petitioner herein has given a representation to the respondents on 01.08.2023, seeking for fixation of pay by stepping up of his pay on par with the pay scale of junior officer. Since the said representation has not been considered till date, 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 them to



W.P.No.27559 of 2023

WEB COPY

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 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 first respondent herein, to consider the petitioner's representation dated 01.08.2023, on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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.

30.10.2023

Index: Yes/No



W.P.No.27559 of 2023

Speaking order/Non-speaking order

Sni

WEB COPY



WEB COPY



W.P.No.27559 of 2023

M.S.RAMESH,J.

Sni

To

- 1.The Secretary to Government of Tamil Nadu,
Home Department,
Secretariat, St. George Fort,
Chennai.
- 2.The Director General of Police,
Tamil Nadu.
- 3.The Superintendent of Police,
Villupuram District.
- 4.The Administrative Officer (Administration),
Superintendent of Police,
Villupuram District.
- 5.The Office of the Principal Accountant General (A&R),
Tamil Nadu, 361 Anna Salai,
Chennai – 600 018.

W.P.No.27559 of 2023

30.10.2023