



W.P.No.30048 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30048 of 2023

J.Karnchand Mohan Singh

...Petitioner

Vs

1.The Secretary to Government,
School Education Department,
Fort St. George,
Chennai – 600 009.

2.The Director of School Education,
DPI Compound,
College Road, Chennai – 600 008.

3.The Chief Educational Officer,
Uthangarai Taluk,
Uthangarai,
Krishnagiri District.

4.The District Educational Officer,
Krishnagiri, Krishnagiri District.

5.The Accountant General (A.E.),
Tamil Nadu Circle,
Chennai – 600 018.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 16.08.2023 with regard to re-fix Grade pay at Rs.5,700/- instead of Grade pay at Rs.5,400/- within a stipulated time as fixed by this Court.

For Petitioner	: Mr.P.M.Jayachandran
For R1to R4	: Mrs.V.Yamuna Devi Special Government Pleader
For R5	: Mrs.Hema Muralikrishnan Standing Counsel

ORDER

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

2. The petitioner herein has given a representation to the respondents on 16.08.2023, requesting to re-fix the Grade pay at Rs.5,700/- instead of Rs.5,400/-. Since the said representation was not considered, the present Writ Petition has been filed.



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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 on 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.

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 16.08.2023, pass appropriate orders in accordance with law, within a period of twelve (12) 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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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

Internet: Yes/No

Neutral Citation: Yes/No

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To

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M.S.RAMESH,J.

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