



W.P.No.30853 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.30853 of 2023

R.Udayakumar

...Petitioner

-Vs-

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to the Government,
Home (Police) Department,
Fort St. George, Chennai 600 009.
2. The Principal Accountant General (A&E),
Tamil Nadu, Teynampet, Chennai.
3. The Director General of Police (L&O),
(Head of Police Force), Office of the
Director General of Police, Mylapore,
Chennai 600 004.
4. The Commissioner of Police,
Tambaram Commissionerate,
Solinganallur, Chennai 600 059.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 1st and 2nd respondents to consider and pass order on the petitioner's representation dated 12.06.2023 to stepping up of his last drawn pay on par with his junior Mr.Alagirisamy PPO-



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RO531740 within a stipulated time.

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For Petitioner : Mr.V.Lakshminarayanan

For Respondents : Mr.M.Bindran
Addl. G.P.

ORDER

Heard Mr.V.Lakshminarayanan, learned counsel for the petitioner and Mr.Bindran, learned Additional Government Pleader for the respondents. With the consent of both sides, the main writ petition has been taken up for final disposal.

2. The petitioner herein has given a representation to the first respondent on 12.06.2023, seeking for a direction for stepping up of his last drawn pay on par with his junior Mr.Alagirisamy PPO-Ro531740. 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 respondent 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



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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 to consider the representation of the petitioner dated 12.06.2023 on its own merits and pass appropriate orders in accordance with law, within a period of three months 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 respondents to consider the same on its own merits.

5. With the above direction, the writ petition is disposed of. No costs.

01.11.2023

Index: Yes/No
Internet: Yes/No
sr

To

1. The Principal Secretary to Government of Tamil Nadu,,
Home (Police) Department,
Fort St. George, Chennai 600 009.



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M.S.RAMESH.J.

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2. The Principal Accountant General (A&E),
Tamil Nadu, Teynampet, Chennai.
3. The Director General of Police (L&O),
(Head of Police Force), Office of the
Director General of Police, Mylapore,
Chennai 600 004.
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