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W.P.No.31381 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.31381 of 2023

M. Devan

... Petitioner

Vs.

The Tamil Nadu Civil Supplies Corporation,
Rep. by its Regional Manager,
Dharmapuri Region, Dharmapuri.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider and pass orders on the petitioner's representation dated 01.03.2023 by which the petitioner sought details and basis of the mode of calculation of the arrears of pay and allowances due to the petitioner for the service rendered by him without further delay.

For Petitioner : Mr.S. Venkataraman

For Respondent : Mr.C. Selvaraj,
Standing Counsel



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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 has given representation to the respondent on 01.03.2023, seeking for clarification regarding annual increments, promotions etc. 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 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.



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4. In the light of the above observations, there shall be a direction to the respondent herein, to consider the petitioner's representation dated 01.03.2023, on its own merits and pass appropriate orders in accordance with law, within a period of six (6) 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.

02.11.2023

Index: Yes/No
Speaking order/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Dharmapuri Region, Dharmapuri.

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02.11.2023