



W.P.No.32391 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32391 of 2023

Tamil Nadu Sugar Mills
Agricultural Graduate Association
(AGRICOPS)
Represented by its
President Mr.A.Saravanan
C127, Karthikeyan Salai
Periyar Nagar,
Chennai-82.

...Petitioner

Vs

1. The Agricultural Production Commissioner and Secretary
to Government
Agricultural Farmers - Welfare Department
Fort St.George
Chennai-9.
2. The Principal Secretary
Industries, Investment Promotion and Commerce Department
Fort St.George
Chennai-9.
3. The Principal Secretary / Commissioner of Sugar
Aavin Illam
2nd Floor
3A Paumpon Muthuramalinganar Salai
Nandanam, Chennai-600 035.



W.P.No.32391 of 2023

4. The Pay Revision Committee
Cooperative and Public Sector Sugar Mills
(Common Cadre Officers)
Rep. by its Chairman
Aavin Ilam, 2nd Floor
3A, Paumpon Muthuramalinganar Salai
Nandanam, Chennai-35.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to revise the pay structure to the common cadre employee working in the Cooperative and Public Sector Sugar Mills by adopting the recommendation of the 7th pay commission vide G.O.Ms.No.303 Finance (Pay Cell) Department dated 11.10.2017.

For Petitioner : Mr.R.Rajarajan
For Respondents : Mrs.V.Yamuna Devi
Special Government Pleader

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-Association herein has given a representation to the respondents on 06.06.2023, seeking to implement the recommendation of 7th pay commission to the common cadre employees working in the Cooperative and Public Sector Sugar Mills and to make



W.P.No.32391 of 2023

revision of pay scale and pay structure to them. 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.

4. In the light of the above observations, there shall be a direction to the respondents herein, to consider the petitioner's representation dated 06.06.2023, on its own merits and 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 of the petitioner



W.P.No.32391 of 2023

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.

16.11.2023

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes/No

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W.P.No.32391 of 2023

WEB COPY To

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W.P.No.32391 of 2023

M.S.RAMESH,J.

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W.P.No.32391 of 2023

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