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W.P.No.4802 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 4802 of 2024

P.Palanichamy

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Petitioner

Vs

1. The Commissioner,
Food Safety and Drug Administration Department,
DMS Campus,
Anna Salai, Chennai – 600 006.

2. The Designated Officer,
Ariyalur District Food Safety Office,
Ariyalur District.

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Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to pass appropriate orders on the representation of the petitioner submitted on 01.10.2022 and 02.02.2024 for sanction of full additional charge allowance for the period as mentioned in para 3 above, within a reasonable period as may be fixed by this Court.

For Petitioner : Mr.T.Ranganathan

For Respondents : Mr.V.Veluchamy
Additional Government Pleader



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ORDER

This Writ Petition has been filed for a direction directing the first respondent to pass appropriate orders on the representation of the petitioner submitted on 01.10.2022 and 02.02.2024 for sanction of full additional charge allowance for the period as mentioned in para 3 above, within a reasonable period as may be fixed by this Court.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The case of the petitioner is that he had made representation on on 01.10.2022 and 02.02.2024 to the firts respondent for sanction of additional charge allowance for the periods from 11.07.2012 to 10.03.2013 and from 01.04.2021 to till date and the same was not considered. Hence, this writ petition.

4. Having regard to the limited scope of the relief sought in this writ petition, this Court without expressing any view on the merits of controversy involved, passed the following order :-



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(i) the concerned authority shall immediately examine the representation dated 01.10.2022 and 02.02.2024 made by the petitioner including ascertaining as to whether the petitioner would be entitled for the relief claimed ;

(ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same ;

(iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the petitioner and all other persons concerned to explain his position in that regard ;

(iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated within a period of twelve weeks under written acknowledgement ;

(v) if the petitioner is found entitled to any monetary benefits, the same shall be paid along with working sheet showing its calculation within a period of three months from the date of passing of that order ;
and



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(vi) the report of such compliance shall be filed before the

Registrar (Judicial) of this Court.

5. In the result, this Writ Petition stands disposed of on the aforesaid terms. No costs.

28.02.2024

Internet : Yes/No

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

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To

1. The Commissioner,
Food Safety and Drug Administration Department,
DMS Campus,
Anna Salai, Chennai – 600 006.

2. The Designated Officer,
Ariyalur District Food Safety Office,
Ariyalur District.



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G.K.ILANTHIRAIYAN, J.

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