



W.P.(MD).No.14814 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.14814 of 2024

R.Lakhsmanan

...Petitioner

Vs

1.The Director General of Police,
Kamarajar Salai,
Mylapore,
Chennai – 600 004.

2.The Superintendent of Police,
District Police Office,
Ramanathapuram,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the respondents to set right the anomaly in the pay of the petitioner based on the service in as much as the juniors of the petitioner are drawing a higher pay and pension and consequently settle the revised pension, revised gratuity and all other monetary benefits by calculating the same based on the revised pay by considering the representation of the petitioner dated 15.11.2023.



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For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

Heard Mr.S.C.Herold Singh, learned counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader for the respondents.

2. The petitioner herein had given a representation to the second respondent on 15.11.2023 seeking to set right the anomaly in the pay of the petitioner, based on the service in as much as the juniors of the petitioner are drawing a higher pay and pension and consequently settle the revised pension, revised gratuity and all other monetary benefits by calculating the same based on the revised pay. 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 respondents to consider the same on its own merits and pass appropriate



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orders in one way or other, instead of keeping the same pending indefinitely. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with direction to consider the representation of the petitioner within a specified time frame.

4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 15.11.2023 on its own merits and pass appropriate orders in accordance with law, within a period of four 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 third respondent to consider the same on its own merits.



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WEB COPY 5. With the above direction, the Writ Petition stands **disposed of**.

No costs.

11.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

- 1.The Director General of Police,
Kamarajar Salai,
Mylapore,
Chennai – 600 004.
- 2.The Superintendent of Police,
District Police Office,
Ramanathapuram,
Ramanathapuram District.



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R.N.MANJULA, J.

Nsr

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