



W.P.(MD)No.16930 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.16930 of 2024

and

W.M.P.(MD)No.14595 of 2024

1.M.Manikandan
2.K.Paulpandi
3.J.Stephen Velankanni

... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Backward Class, Most Backward Class
Minorities Welfare Department,
Secretariat, Chennai.

2.The Commissioner,
Most Backward & de-notified Communities Welfare,
Chennai-600 005.

3.The Joint Director,
Kallar Reclamation,
Old Ramanathapuram Collectorate Campus,
Madurai, Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents to regularize the service of the petitioners and declare probation on par with similarly placed persons in the light of order passed by the Backward Classes and Minorities



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Welfare Officer, Cuddalore District by his proceedings in Se.Mu. No. Je3/762602/2023-1 dated 21.03.2023 and consequently to revise the scale of pay Rs. 4800-10000 +1300 GP in the light of G.O.Ms.No. 29 Backward Classes, Most Backward Classes and Minorities Welfare Department dated 05.03.2024 and by considering the petitioner's representation dated 11.12.2023 and 15.04.2024 within the time stipulated by this Court.

For Petitioners : Mr.C.Venkatesh Kumar
M/s.Ajmal Associates
For Respondents : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

Heard Mr.C.Venkatesh Kumar, learned counsel for the petitioner and Mr.N.Ramesh Arumugam, learned Government Advocate for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioners have filed this writ petition seeking a Writ of Mandamus to direct the respondents to regularize the service of the petitioners and declare his probation on par with similarly placed persons in the light of order passed by the Backward Classes and Minorities Welfare Officer,



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Cuddalore District by his proceedings in Se.Mu. No. Je3/762602/2023-1 dated 21.03.2023 and consequently to revise the scale of pay Rs. 4800-10000+ 1300 GP in the light of G.O.Ms.No. 29 Backward Classes, Most Backward Classes and Minorities Welfare Department dated 05.03.2024 and by considering the petitioners' representations dated 11.12.2023 and 15.04.2024.

4. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate 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 petitioners have 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 a direction to consider the representation of the petitioner within a specified time frame.

5. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioners' representations dated 11.12.2023 and 15.04.2024 on its own merits and pass appropriate orders in



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accordance with law and in light of the Government Orders passed in this regard 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 gone into the merits of the claim of the petitioners and it is open to the respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

25.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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To

- 1.The Secretary to Government,
State of Tamil Nadu,
Backward Class, Most Backward Class
Minorities Welfare Department,
Secretariat, Chennai.
- 2.The Commissioner,
Most Backward & de-notified Communities Welfare,
Chennai-600 005.
- 3.The Joint Director,
Kallar Reclamation,
Old Ramanathapuram Collectorate Campus,

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Madurai, Madurai District.

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R.N.MANJULA, J.

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