



WP(MD) No.16558 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.16558 of 2024

N.V.Gobikannan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Devakottai Division,
Sivagangai District.

2.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st respondent i.e., the Revenue Divisional Officer, Devakottai to instruct the Tahsildar, Sivagangai and the Tahsildar, Devakottai to furnish the pay drawn particulars and the non-payment certificate for the period from 01.01.2010 to 21.07.2022 and the Tahsildar, Thiruppathur may also be directed to pursue the matter further through official Correspondence for redressal of the petitioner's grievance and his pay may be refixed on par



WP(MD) No.16558 of 2024

with his Junior and ordered to pay the arrears within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.J.Ashok

Additional Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking for a Writ of Mandamus directing the 1st respondent i.e., the Revenue Divisional Officer, Devakottai to instruct the Tahsildar, Sivagangai and the Tahsildar, Devakottai to furnish the pay drawn particulars and the non-payment certificate for the period from 01.01.2010 to 21.07.2022 and the Tahsildar, Thiruppathur may also be directed to pursue the matter through his official Correspondence for redressal of the petitioner's grievance and his pay may be refixed on par with his Junior and ordered to pay the arrears within a specified time frame that may be fixed by this Court.



WP(MD) No.16558 of 2024

WEB COPY

2. Heard Mr.S.Visvalingam, learned counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader for the respondents.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The petitioner herein had given a request / representation to the respondents on 15.05.2024 with regard to the aforesaid relief sought for by the petitioner. Since the said representation was not considered by the respondents so far, the present writ petition has been filed.

5. 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 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



WP(MD) No.16558 of 2024

WEB COPY

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.

6. In the light of the above observations, there shall be a direction to the respondents to consider the petitioner's request / representation dated 15.05.2024 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 gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

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

No costs.

23.07.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
sm



WP(MD) No.16558 of 2024

WEB COPY

To

- 1.The Revenue Divisional Officer,
Devakottai Division,
Sivagangai District.
- 2.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.



WEB COPY



WP(MD) No.16558 of 2024

R.N.MANJULA, J.

sm

Order made in
W.P.(MD)No.16558 of 2024

23.07.2024