



W.P.(MD)No.28733 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.28733 of 2023

S.Uthirapathi

... Petitioner

Vs.

- 1.The Director of Agriculture / Registrar,
Agro Engineering Services,
Directorate of Agriculture,
Chepauk, Chennai – 600 005.
- 2.The Deputy Registrar Office of
the Commissioner of Agriculture,
Chepauk, Chennai – 600 005.
- 3.The Joint Director of Agriculture,
Office of the Joint Director,
Kattu Thottam, Thanjavur.
- 4.The Assistant Director of Agriculture,
Agriculture Office, Muthupettai Road,
Pattukkottai, Thanjavur District.
- 5.The Special Officer/ Liquidator Officer,
Pattukkottai Agro Engineering and
Service Cooperative Centre Ltd,
Office of the Assistant Director of Agriculture,
Pattukkottai, Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents especially the 5th respondent to disburse my salary, bonus, leave salary, security deposit, gratuity



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etc., with interest from 01.04.2002 to 31.08.2012 within the time frame that may be stipulated by this Court and Consider petitioner's representation dated 20.09.2023.

For Petitioner : Mr.K.Guhan
For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

Heard Mr.K.Guhan, learned counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader 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 petitioner was working as Assistant under the fifth respondent from the year 1981 till 31.08.2012, when the fifth respondent society was liquidated. However, the petitioner was disbursed with salary only till the year 2002 and thereafter, the petitioner was not granted with any salary. Hence, the petitioner seeking disbursement of salary, bonus, leave salary, security deposit, gratuity etc., from 01.04.2002 to 31.08.2012 made a representation dated 20.09.2023 to the respondents. Since the same was not considered so far, the petitioner has filed this writ petition.



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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 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 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 petitioner's representation dated 20.09.2023 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 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.



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6. With the above direction, the Writ Petition stands disposed of. No costs.

18.07.2024

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

- 1.The Director of Agriculture / Registrar,
Agro Engineering Services,
Directorate of Agriculture,
Chepauk, Chennai – 600 005.
- 2.The Deputy Registrar Office of
the Commissioner of Agriculture,
Chepauk, Chennai – 600 005.
- 3.The Joint Director of Agriculture,
Office of the Joint Director,
Kattu Thottam, Thanjavur.
- 4.The Assistant Director of Agriculture,
Agriculture Office,
Muthupettai Road,
Pattukkottai, Thanjavur District.
- 5.The Special Officer and Liquidator Officer,
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R.N.MANJULA, J.

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