



W.P.(MD)No.15478 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

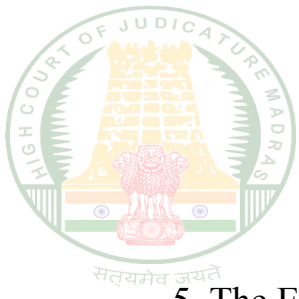
W.P.(MD)No.15478 of 2025

Jayakumar

... Petitioner

-VS-

1. The State of Tamil Nadu,
Represented by its Secretary,
Public Works Department (PWD),
Fort St. George, Secretariat,
Chennai - 600 009.
2. The Engineer in Chief (PWD) and Chief Engineer (General),
Public Works Department (PWD),
Kamarajar Salai,
Chepauk, Chennai - 600 005.
3. The Chief Engineer (Building, Construction and Maintenance),
Public Works Department (PWD),
Trichy Region,
Trichy.
4. The Superintendent Engineer (Building, Construction and Maintenance),
Public Works Department (PWD),
Trichy Circle, Trichy.



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5. The Executive Engineer (Building, Construction and Maintenance),
Public Works Department (PWD),
Trichy Division, Trichy.

6. The Assistant Executive Engineer (Building, Construction and Maintenance),
Sub-Division,
Public Works Department (PWD),
Trichy Circle, Trichy. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents to grant the pay fixation and seniority with effect from 31.03.2003 on completion of 10 years of service and to pay the actual monetary benefits with effect from the date of issue of G.O.Ms.No.334, Public Works (C2) Department, dated 19.10.2007.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents to grant the pay fixation and seniority with effect from 31.03.2003 on completion of 10 years of service and to pay the actual monetary benefits with effect from the date of issuance of G.O.Ms.No.334, Public Works (C2) Department, dated 19.10.2007.



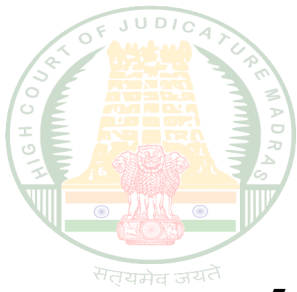
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2. By consent of both parties, this writ petition is disposed at the admission stage itself.

3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submits that though some grounds are raised by the petitioner seeking the aforesaid relief, now, he confines the prayer that it would suffice if the representation of the petitioner is disposed of in accordance with law. The petitioner has made a representation to the respondents dated 04.02.2025, seeking the aforesaid relief.

4. 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 him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



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5. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 04.02.2025, on its own merits and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

16.06.2025
(2/4)

To:-

- 1.The Secretary to Government of Tamil Nadu,
Public Works Department (PWD),
Fort St. George, Secretariat,
Chennai - 600 009.
2. The Engineer in Chief (PWD) and Chief Engineer (General),
Public Works Department (PWD),
Kamarajar Salai,
Chepauk, Chennai - 600 005.



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3. The Chief Engineer (Building, Construction and Maintenance),
Public Works Department (PWD),
Trichy Region,
Trichy.
4. The Superintendent Engineer (Building, Construction and Maintenance),
Public Works Department (PWD),
Trichy Circle, Trichy.
5. The Executive Engineer (Building, Construction and Maintenance),
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VIVEK KUMAR SINGH, J.

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