



W.P.(MD).No.15398 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15398 of 2025

A.Balarkrishnan

... Petitioner

-VS-

1. The Commissioner,
Directorate of Agricultural Marketing and Agri Business,
Guindy, Chennai 600 032.

2. The Secretary,
Kanyakumari Market Committee,
Tiruvanthapuram Road,
Krishnan Koil, Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to pass orders forthwith on the petitioner's final representation dated 03.05.2024 seeking to revise the petitioner's pay scale on par with petitioner's junior Mr.K.Ravi and to disburse arrears of salary and pension within a reasonable time stipulated by this Court.

For Petitioner : Mr.E.V.N.Siva

For Respondents : Mr.S.R.A.Ramachandhran

Additional Government Pleader



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ORDER

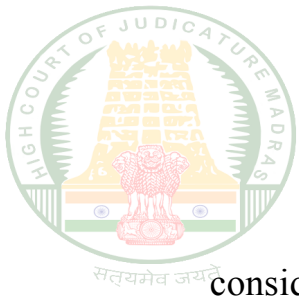
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This writ petition has been filed seeking a direction to the respondents herein to pass orders forthwith on the petitioner's final representation dated 03.05.2024 seeking to revise the petitioner's pay scale on par with petitioner's junior Mr.K.Ravi and to disburse arrears of salary and pension within a reasonable time stipulated by this Court.

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

3. The petitioner joined as Engineering Supervisor in the second respondent office on 01.04.1978 and retired from service on 30.04.2013. The petitioner wanted the authorities to revise the petitioner's pay scale on par with petitioner's junior Mr.K.Ravi and to disburse arrears of salary and pension. In this regard, the petitioner made a representation dated 03.05.2024 to the first respondent. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

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



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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.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 03.05.2024 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.

06.06.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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TO:-

1. The Commissioner,
Directorate of Agricultural Marketing and Agri Business,
Guindy, Chennai 600 032.
2. The Secretary,
Kanyakumari Market Committee,
Tiruvanthapuram Road,
Krishnan Koil, Nagercoil,
Kanyakumari District.

Order made in
W.P.(MD)No.15398 of 2025

Dated:
06.06.2025