



W.P.(MD).No.15361 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15361 of 2025

K.Saravanan

... Petitioner

-VS-

1. The Secretary to Government,
Municipal Administration and Water Distribution Department,
Chennai.

2. The Director,
Municipal Administration,
Chennai.

3. The Commissioner,
Kulithalai Municipality
Karur District.

... Respondents

(R3 is amended vide order of this Court dated 06.06.2025 in WMP(MD)No. 11714 of 2025.)

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd respondents to regularize the petitioner's suspension period i.e., from 31.07.2020 to 15.10.2024 as duty period and grant salary, annual increments and other monetary and service benefits during the relevant point of time by considering the petitioner's representation dated 16.11.2024.



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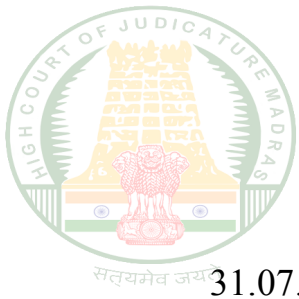
For Petitioner : Mr.G.R.Satish
For Respondents : Mr.K.Balasubramani (R1 & R2)
Special Government Pleader
Mr.B.Saravanan (R3)
Additional Government Pleader

ORDER

This writ petition has been filed seeking a direction to the 1st and 2nd respondents to regularize the petitioner's suspension period i.e., from 31.07.2020 to 15.10.2024 as 'duty period' and grant salary, annual increments and other monetary and service benefits during the relevant point of time by considering the petitioner's representation dated 16.11.2024.

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

3. The petitioner was appointed as Revenue Assistant in the third respondent Municipality on 09.02.2001. Due to some allegations, the petitioner was placed under suspension in the year 2020. Subsequently, he was relieved from all the charges in the year 2024. Hence, the petitioner seeks for regularization of the petitioner's suspension period i.e., from



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31.07.2020 to 15.10.2024 as 'duty period' and grant salary, annual increments and other monetary and service benefits during the relevant point of time. The petitioner has also made a representation dated 16.11.2024 to the second 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 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 second respondent to consider the petitioner's representation dated 16.11.2024 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



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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
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06.06.2025
(2/2)



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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.15361 of 2025
(2/2)

Dated:
06.06.2025