



W.P.(MD)No.15767 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.15767 of 2025

S.Somasundara Srinivasa

: Petitioner

Vs.

1. The Additional Chief Secretary to Government,
Revenue and Disaster Management Department,
Secretariat,
Chennai-600 009.

2. The Additional Chief Secretary
/ the Commissioner of Revenue Administration,
Ezhilagam,
Chepauk,
Chennai- 600 005.

3. The District Collector,
Madurai District,
Madurai.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent i.e., the Additional Chief Secretary to Government, Revenue and Disaster Management Department, Chennai, to pass appropriate orders on the petitioners representation dated 29.04.2025 regarding re-fixation of



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seniority in the cadre of Revenue Assistant, Deputy Tahsildar and Tahsildar and refixation of the petitioners pay in those cadres on par with his junior, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S. Visvalingam

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

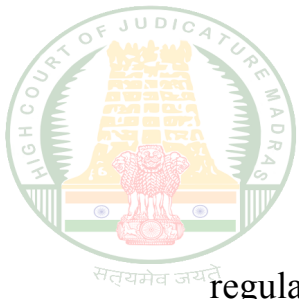
Additional Government Pleader

ORDER

The writ petition has been filed for the issuance of a writ of Mandamus, directing the first respondent to pass appropriate orders on the petitioner's representation dated 29.04.2025, qua re-fixation of seniority and pay on par with his junior, within a specified time frame that may be fixed by this Court.

2. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The petitioner asserts that he was appointed as a Junior Assistant on compassionate grounds on 09.07.1997 and joined duty on 21.07.1997. After three years from the date of joining, his services were



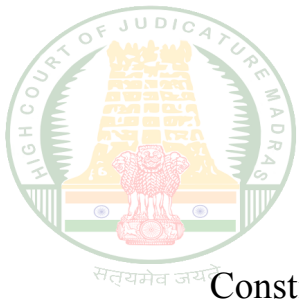
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regularized on 28.06.2001. The grievance of the petitioner is that his services were belatedly regularized by the Government in G.O.(2D) No. 363, Revenue (Ser-9) Department, dated 14.12.2000, thereby affecting his seniority in the cadre of Revenue Assistant. In this regard, the petitioner submitted a representation dated 29.04.2025 to the respondent, requesting re-fixation of his seniority. As no action has been taken on the said representation, the petitioner has now filed the present Writ Petition.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the respondent to consider the representation of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.

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 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



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Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 29.04.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, 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 second respondent to consider the same on its own merits.

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

17.06.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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