



W.P.(MD)No.17368 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.17368 of 2025

L.Louis

: Petitioner

Vs.

1. The Director of Municipal Administration,
Urban Administrative Buildings,
Mrc Nagar,
Raja Annamalaipuram,
Chennai - 600 028.

2. The Regional Assistant Director
of Town Panchayats,
Erode Region,
Erode Post,
Erode District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to fix the pay of the petitioner in the post of Executive Officer Grade -I and Selection Grade Executive Officer from the date on which the petitioners junior was promoted as Executive Officer Grade-I pursuant to confirmed seniority list issued by the 1st respondent in Na.Ka.No. 12592/2015/A7 dated 21.04.2017 and disburse the accrued pay and Pensionary benefits to the petitioner, by considering the petitioners representation dated 10.06.2025.



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For Petitioner : Mr. K.Ponnaiah

For Respondents : Mr.K.Balasubramani

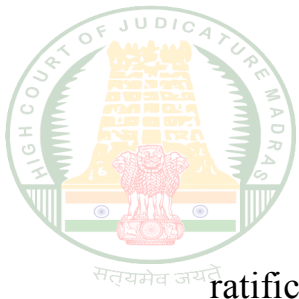
Special Government Pleader

ORDER

The writ petition has been filed for the issuance of a writ of Mandamus, to direct the respondents 1 and 2 to fix the petitioner's pay as Executive Officer Grade-I and Selection Grade Executive Officer, effective from the date the petitioner's junior was promoted, in accordance with the confirmed seniority list and to disburse the accrued pay and pensionary benefits, by considering the petitioner's representation dated 10.06.2025.

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

3. The petitioner, a retired Executive Officer of the Town Panchayat, has submitted a representation to the respondents seeking pay fixation in the posts of Executive Officer Grade-I, Selection Grade Executive Officer and Special Grade Executive Officer, pursuant to the



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ratification and regularization of his services after his retirement and based on the confirmed seniority list placing his name at Serial No. 36 as on 01.01.2012, Serial No. 26 as on 01.01.2013, and Serial No. 23 as on 01.01.2014. As no action was taken on the representation, the petitioner has filed the present writ petition before this Court.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the first 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 Constitution of India and direct them to consider the same within a stipulated time.



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6. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's proposal dated 10.06.2025, 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 eight weeks 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 first 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.

26.06.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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