



W.P.(MD)No.19852 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19852 of 2025

M.Rani

... Petitioner

-VS-

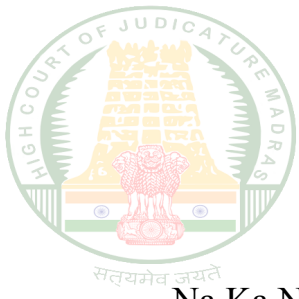
1.The Secretary,
The State Government of Tamil Nadu,
Adi Dravidar and Tribal Welfare Department,
Fort St. George, Secretariat,
Chennai - 600 009.

2.The Director,
Adi Dravidar Welfare Department,
Chepauk,
Chennai.

3.The District Adi Dravidar Welfare Officer,
Tirunelveli District,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to disburse the salary for the period from 01.07.2021 to 30.04.2022 (10 Months) with interest, by considering the petitioner's representation dated 24.03.2025 to the second respondent forwarded by the third respondent, vide the proceedings in



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Na.Ka.No.Aa.Dhi.Na2/30588/2017, dated 10.04.2025 to the second respondent, within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

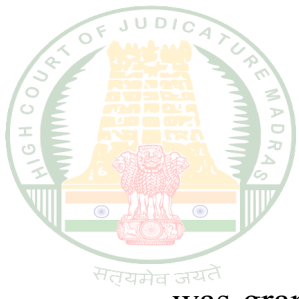
For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to disburse the salary for the period from 01.07.2021 to 30.04.2022 (10 months), along with interest, by considering the petitioner's representation dated 24.03.2025, which was forwarded by the third respondent to the second respondent vide proceedings dated 10.04.2025, within the time stipulated by this Court.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner submits that she was appointed as Secondary Grade Warden on 08.12.1995 and was regularized from the date of appointment. She



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was granted Selection Grade in 2005 and promoted as Graduate Warden in 2009 based on her B.Lit. qualification. Her promotion was challenged by a junior, T.Ravikumar, resulting in reversion orders based on outdated service rules, despite the existence of Government Orders and Circulars equating qualifications between the Adi-Dravidar Welfare Department and the School Education Department. Though reversion was effected on 01.07.2021, the Division Bench of this Court in W.A.(MD)Nos.105 & 106 of 2020 stayed the same, recognizing that long-standing promotions cannot be disturbed merely on technical grounds. However, despite the interim orders and later directions, the petitioner was not assigned duties and remained without a posting from 01.07.2021 to 30.04.2022. She eventually joined as Graduate Warden on 01.05.2022 after filing a Contempt Petition. The petitioner has submitted several representations, including the latest one dated 24.03.2025, seeking salary for the aforesaid period, which was forwarded by the third respondent to the second respondent on 10.04.2025, but no action has been taken till date. Hence, the petitioner seeks a direction to disburse her salary for the period 01.07.2021 to 30.04.2022 with applicable interest.

4. Heard both sides.

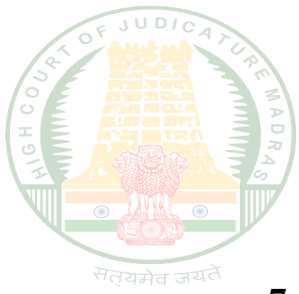


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5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping 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.

6. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 24.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of six 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 second respondent to consider the same on its own merits.



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

NCC : Yes / No

22.07.2025

Index : Yes / No

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To:-

- 1.The Secretary,
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Adi Dravidar and Tribal Welfare Department,
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VIVEK KUMAR SINGH, J.

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