

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2020

CORAM

THE HONOURABLE Mr.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE Mr.JUSTICE M.NIRMAL KUMAR

W.P.No.7505 of 2020

K.Amsa Kannan

... Petitioner

Versus

The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai – 600 009.

... Respondent

Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus to the respondent directing him to consider and dispose my representation made to the respondent on 08.04.2020 on merits in accordance with law within a time frame by affording an opportunity of personal hearing to the petitioner.

For Petitioner : Mr.N.Mahendra Babu

For Respondent : Mr.V.Jayaprakash Narayanan
Government Pleader

ORDER

This Writ Petition, styled as a Public Interest Litigation, is filed by the 12th Ward Union Councilor of Thiruvannamali Panchayat Union, Thiruvannamalai.

2.The learned counsel for the petitioner would submit that the petitioner's husband is a practicing lawyer belonging to Thiruvannamalai Bar and on account of the COVID-19 lockdown, many Governments servants are not discharging their duties and it would be a colossal waste to pay them the full salary. It is also pointed out by the learned counsel appearing for the petitioner that some of the states namely Telungana, Uttar Pradesh, Madhya Pradesh, Odissa, Chattisgarh and Uttarkhand, the State Government ordered reduction of certain percentage of the salary from the government servants and therefore, prays for appropriate direction to deduct the payment of salary from the government servants.

3.In the considered opinion of the Court, the prayer sought for by the petitioner cannot be granted for the reason that the policy decision in this regard, is left with the State Government and this Court cannot issue a positive direction towards deduction of the portion of the salary.

4.At this juncture the learned counsel appearing for the petitioner would submit it would be sufficient by directing the respondent to consider the dispose of the representation of the petitioner dated 08.04.2020. The petitioner is neither having a statutory or legal right to compel the State Government to take a decision in this regard.

5.In the light of the reasons assigned above, the Writ Petition is dismissed. No costs.

(M.S.N.,J) (M.N.K.,J)
21.04.2020

Internet : Yes

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W.P.No.7505 of 2020

M.SATHYANARAYANAN, J
and
M.NIRMAL KUMAR, J
vv2

To

The Chief Secretary,
Government of Tamil Nadu,
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