

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2018

CORAM :

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. No.25136 of 2018

M. Prabhu ..Petitioner

Vs.

1. The District Collector,
Vellore.

2. The Regional Director for Municipalities,
Sarathi Nagar,
Kagitha Pattarai, Arcot Road,
Vellore District.

3. The Revenue District Officer,
Vellore.

4. The Commissioner,
Gudiyatham Municipality,
Vellore District.

5. The Tahsildar,
Gudiyatham, Vellore District. ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct in the nature of Writ directing the respondents to consider the representation dated 16.07.2018 with regard to disburse of Death cum Retirement Benefit of the petitioner's father Mr.Erusan within a period to be stipulated.

For Petitioner : Mr.R. Chandrasekaran

For Respondents : Mr. S. Suresh Kumar,

For RR1 to R3 Government Advocate

For R4 : Mr. V. Jayaprakashnarayanan,
Special Government Pleader.

O R D E R

Mr.S.Suresh Kumar, learned Government Advocate takes notice on behalf of the respondents 1 to 3 and 5.

2. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice on behalf of the fourth respondent.

3. The case of the petitioner is that he is the adopted son of Mr.Erusan, who died in harness on 09.04.2011. Hence, he made a representation to the fourth respondent on 16.07.2018 seeking to disburse the death cum retiral benefits, in his favour. As, the same evoked no response, he has filed

this Writ Petition seeking for a direction to the respondents dispose of such representation in accordance with law.

4. Heard the learned counsel for the parties and perused the materials on record.

5. Considering the nature of relief sought for by the petitioner in this case and after hearing the learned counsel appearing for the parties and on going through the materials on record, this Court disposes of the Writ Petition at the stage of admission, without seeking reply affidavit from the respondents, with a direction to the fourth respondent to take an informed and considered decision on the representation of the petitioner dated 16.07.2018, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, if there is no other legal impediment to dispose of the same. However, it is made clear that this Court has expressed no opinion on the merits of such representation and as such there is no fetter on the part of the fourth respondent to dispose of this representation, in any particular manner, except the time limit provided. No costs.

24.09.2018

Index : No

Internet : Yes

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SATRUGHANA PUJAHARI.J

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To

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