



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.12.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P. (MD) No.26557 of 2019

WEB COPY

M.Eswari

... Petitioner

/vs./

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Project Officer,
Integrate Child Development Scheme,
Dindigul District,
Dindigul.

3.The Children Plan Development Officer,
Oddanchatram, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to give the monetary pension benefits and also given pension to the petitioner based on the petitioner's representation dated 08.07.2019.

For Petitioner : Mr.G.Gomathi Sankar

For Respondents : Mr.M.Jeyakumar

Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. Though the petitioner has sought for issuance of writ of mandamus to the respondents to give the monetary pension benefits and also given pension to the petitioner, in my view, such a decision is to be taken by the respondents and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

3. The petitioner would submit that she has already made representation on 08.07.2019 in this regard, which is said to be pending. If the said representation is directed to be disposed of within stipulated time, the ends of justice could be secured.

<https://hcservices.ecourts.gov.in/hcservices/> 4. Whenever a representation is made to a statutory authority



to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

5. In view of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation, dated 08.07.2019, on its own merits and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in her representation and it is for the second respondent to consider it in accordance with law.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To:

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Project Officer,
Integrate Child Development Scheme,
Dindigul District,
Dindigul.

3.The Children Plan Development Officer,
Oddanchatram, Dindigul District.

+1 cc to Mr.G.Gomathi Sankar , Advocate SR.No.104988
+1 cc to The Special Government Pleader Sr.No.105103

Order made in
W.P. (MD) No.26557 of 2019

Dated:
13.12.2019