



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.25789 of 2019

WEB COPY

M.Annathai

... Petitioner

vs.

1.The Secretary to Government,
Social Welfare and Nutritious Meal Programme Department,
Secretariat, Fort St.George,
Chennai-600 009.

2.The District Collector,
Virudhunagar District.

3.The Commissioner,
Sattur Panchayat Union,
Virudhunagar District.

4.The Accountant General (A&E),
361, Annasalai, Teynampet,
Chennai-600 018.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondents 1 to 3 to repay the recovery of amount of Rs.27,088.27/- and to provide General and Special Provident Fund as retirement benefits to the petitioner by considering his representation dated 09.10.2019 within a time that may be stipulated by this Court.

For Petitioner : Mr.R.Balaji

For Respondent : Mr.M.Jeyakumar

Additional Government Pleader (for R1 &R2)

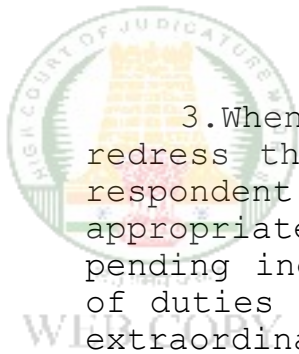
Mr.V.Anand

Government Advocate (for R3)

O R D E R

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

2. The limited prior sought for in the present writ petition is, to consider the petitioner's representation, dated 09.10.2019, in which, the petitioner has sought to repay the recovery of amount of Rs.27,088.27/- and to provide General and Special Provident Fund as retirement benefits.



3. Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondent to consider the same on its own merit 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 the such authority to consider the representation within the stipulated time.

4. In view of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representations, dated 09.10.2019 on its own merits and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of the view with regard to the claim made by the petitioner in his representation. It is for the respondents to consider it in accordance with law.

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

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To:-

1. The Secretary to Government,
Social Welfare and Nutritious Meal Programme Department,
Secretariat, Fort St. George, Chennai-600 009.
2. The District Collector,
Virudhunagar District.
3. The Commissioner,
Sattur Panchayat Union, Virudhunagar District.
4. The Accountant General (A&E),
361, Annasalai, Teynampet, Chennai-600 018.

+1 CC to M/s.R.BALAJI, Advocate (SR-103234[F] dated 04/12/2019)

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04.12.2019

rmk

SDS (20.12.2019) 4P 6C

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