



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.26133 of 2019

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P.Gandhi

... Petitioner

vs.

1.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai 600 004

2.The Superintendent of Police,
Theni District,
Theni.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to disburse the petitioner's retirement benefits with pension, based on the petitioner's representation dated 26.11.2019, within a stipulated time fixed by this Court.

For Petitioner : Mr.A.Rajaram

For Respondents : Mr.R.Sethuraman,
Special Government Pleader.

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 prayer sought for by the petitioner is that to consider the representation dated 26.11.2019 seeking to disburse the petitioner's retirement benefits with pension.

3. 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 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 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 representation dated 26.11.2019 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 his representation and it is for the respondents to consider it in accordance with law.

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

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai 600 004

2.The Superintendent of Police,
Theni District,
Theni.

+1 CC to MR.A.RAJARAM, Advocate (SR-104161[F] dated 10/12/2019)

+1 CC to SPL.GP (SR-104496[F] dated 11/12/2019)

Order made in

W.P. (MD) No.26133 of 2019

10.12.2019

VB(08.01.2020) 2P 5C