



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.12.2019**

CORAM:

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

W.P. (MD) No.26219 of 2019

P.Thavasilingam

... Petitioner

/vs./

1.The Principal Accountant General (A&E),
AG's Office Complex,
361, Anna Salai,
Teynampet, Chennai-600 018.

2.The District Collector,
Madurai District, Madurai-625 020.

3.The Superintendent of Police,
Madurai District, Madurai-625 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the third respondent to disburse the entire service benefits of the petitioner's deceased son T.Ramesh to the petitioner, based on his representation dated 24.02.2019 within a stipulated time that may be fixed by this Court.

For Petitioner	: M/s.P.Kalaiyarasi Bharathi
For R-1	: Mr.P.Gunasekaran
For R-2 and R-3	: Mr.R.Sethuraman Special Government Pleader.

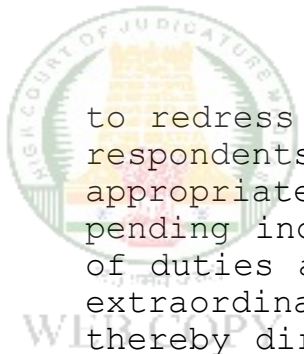
ORDER

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 direct the third respondent to disburse the entire service benefits of the petitioner's deceased son T.Ramesh 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 he has already made representation on 24.02.2019 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.

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 third respondent herein to consider the petitioner's representation, dated 24.02.2019, 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 third respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar(CS)

cp
To:

1.The Principal Accountant General (A&E),
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361, Anna Salai,
Teynampet, Chennai-600 018.

2.The District Collector,
Madurai District, Madurai-625 020.

3.The Superintendent of Police,
Madurai District, Madurai-625 007.

+1 cc Mr.P.GUNSEKARAN ,Advocate, SR.No.104453

+1 cc M/S.P.KALAYARASI BHARATHI ,Advocate, SR.No. 104304

+1cc to M/s.Special Government Pleader,SR.No. 104495

Order made in
W.P. (MD) No.26219 of 2019

Dated:
10.12.2019

KK/SAR/02.01.2020/2P-7C/

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