



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.12.2019**

CORAM:

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

W.P. (MD) No. 26393 of 2019
and
W.M.P (MD) No. 22810 of 2019

B. Meenakshisundaram

... Petitioner

/vs./

1. The Agriculture Production Commissioner,
And principal Secretary to Government,
Agriculture Department,
Fort St George, Chennai.

2. The Director of Agriculture,
Chepauk, Chennai-5.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to consider the petitioner's representation dated 05.11.2019 and dispose of the benefits of general provident fund, special Provident fund, leave encashment of earned and leave credit held by the petitioner for the service rendered by him.

For Petitioner : Mr. K. P. S. Palanivel Rajan

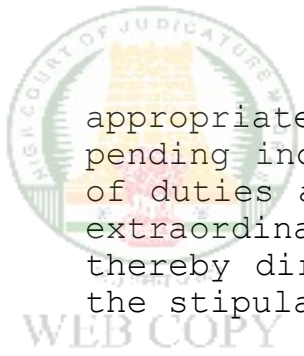
For Respondents : Mr. C. M. Marichellaiah Prabhu,
Additional Government Pleader.

ORDER

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

2. The limited prayer sought for the petitioner is that to consider the representation dated 05.11.2019 seeking for disbursing the benefits of general provident fund, special provident fund, leave encashment of earned and leave credit held by the petitioner for the service rendered by him.

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 second respondent herein to consider the petitioner's representations dated 05.11.2019 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 second respondent to consider it in accordance with law.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar()

To

1.The Agriculture Production Commissioner,
And principal Secretary to Government,
Agriculture Department,
Fort St George, Chennai.

2.The Director of Agriculture,
Chepauk, Chennai-5.

+1 CC to M/s.K.P.S.PALANIVELRAJAN, Advocate (SR-104703[F] dated 12/12/2019)

+1 CC to M/s.SPL GP (SR-105092[F] dated 16/12/2019)

Order made in
W.P. (MD) No.26393 of 2019
Dated:12.12.2019

CP

MS/03.01.2020/2P.5C