



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.02.2020**

CORAM:

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

W.P.(MD) No.284 of 2020

Mangaleswari

... Petitioner

/vs./

1.The Secretary to Government,
Revenue Department,
Fort. St. George,
Chennai-9.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The Tahsildar,
Muthukulathur Taluk,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to take necessary steps to grant family pension to the petitioner on the basis of her representation, dated 19.12.2019.

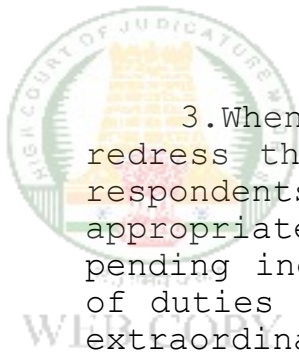
For Petitioner : M/s.J.Balameenakshi

For Respondents : Mr.V.Anand
Government Advocate

ORDER

Though the petitioner has sought for issuance of writ of mandamus to direct the respondents to take necessary steps to grant family 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.

2.The petitioner would submit that she has already made representation on 19.12.2019 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.



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 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.

4. In view of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation, dated 19.12.2019, on its own merits and pass appropriate orders within a period of twelve (12) 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.

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

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

To

1. The Secretary to Government,
Revenue Department,
Fort. St. George, Chennai-9.

2. The District Collector,
Ramanathapuram District,
Ramanathapuram.

3. The Tahsildar, Muthukulathur Taluk,
Ramanathapuram District.

+1 CC to M/s.J.BALAMEENAKSHI, Advocate (SR-4834[F] dated 05/02/2020

Order made in
W.P. (MD) No.284 of 2020
05.02.2020

JMN(17.02.2020) 2P : 5C

<https://hcservices.ecourts.gov.in/hcservices/>