



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2020

CORAM:

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

W.P. (MD) No.451 of 2020

M.Radhakrishnan

... Petitioner

/vs./

1.The District Collector cum
Inspector of Panchayats,
Office of the Inspector of Panchayats,
Theni.

2.P.A. to District Collector,
Office of the District Collector,
Theni.

3.The Block Development Officer,
Andipatti Village Panchayat Office,
Andipatti,
Theni District.

4.The Special Officer,
Anuppanadi Village Panchayat,
Bodidesanpatti Post,
Andipatti Taluk,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to disburse subsistence allowance payable to the petitioner for the period of his suspension on the basis of the petitioner representation dated 4.11.2019.

For Petitioner : Mr.C.Jeganathan

For R1, R2 & R4 : Mr.C.M.Marichellaiah Prabhu
Additional Government Pleader

For R3 : Mr.M.Mu.Muthu
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 by the petitioner is that to consider the representation dated 04.11.2019 seeking for disbursing
<https://hcservices.ecourts.gov.in/hcservices/>



subsistence allowance payable to him for the period of his suspension.

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 third respondent herein to consider the petitioner's representations dated 04.11.2019 in the light of the recommendation of the first respondent dated 09.11.2019 and pass appropriate orders within a period of four 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.

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

Sd/-

Assistant Registrar (AD-II)

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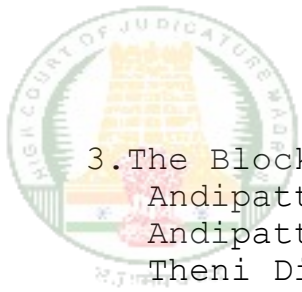
/ /2020

Sub Assistant Registrar(CS)

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To:

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Theni.
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+1 CC to Mr.C.JEGANATHAN, Advocate (SR-1155[F] dated 09/01/2020)

+1 CC to SPL.GP (SR-1612[F] dated 13/01/2020)

W.P. (MD) No. 451 of 2020
09.01.2020

VB(23.01.2020) 3P 7C