



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **24.01.2020**

CORAM:

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

W.P. (MD) No.1362 of 2020

S.Siva

... Petitioner

/vs./

1.The State of Tamilnadu,
represented by its Secretary,
Department of Agricultural,
St.George Fort, Chennai.

2.The Director (TANHODA),
Department of Horticulture, Chennai - 5.

3.The Deputy Director of Horticulture,
Department of Horticulture,
Pudukkottai, Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to sanction and disburse the pension and other retirement benefits along with provident fund, pending increments by considering the petitioner's representation dated 08.01.2020.

For Petitioner : Mr.K.Baalasundharam

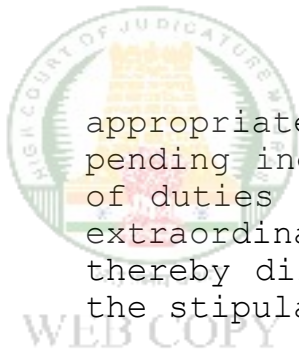
For Respondents : Mr.R.Sethuraman
Special Government Pleader

ORDER

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

2.The limited prayer sought for by the petitioner is that to consider the representation dated 08.01.2020 seeking to sanction and disburse the pension and other retirement benefits along with provident fund, pending increments to the petitioner.

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 08.01.2020 on its own merits and pass appropriate orders within a period of six 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.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Secretary,
State of Tamil Nadu,
Department of Agriculture,
St.George Fort, Chennai.

2.The Director (TANHODA),
Department of Horticulture, Chennai - 5.

3.The Deputy Director of Horticulture,
Department of Horticulture,
Pudukkottai, Pudukkottai District.

+1 CC to M/s.K.BAALASUNDHARAM, Advocate (SR-2817)

+1 CC to M/s.Special Govt.Pleader (SR-3184[F] dated 27/01/2020)

W.P. (MD) No.1362 of 2020

24.01.2020

mm

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