



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.01.2020**

CORAM:

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

W.P. (MD) No.1490 of 2020

P.K.Padhamuthu

... Petitioner

/vs./

1.The Additional Director General of Police,
(Law & Order) Kamarajar Salai,
Mylapore, Chennai-04.

2.The Superintendent of Police,
Madurai District, Madurai.

3.The Deputy Inspector General of Police,
Madurai Range, Madurai.

... 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 disburse the retirement benefits of the petitioner by considering the petitioner's representation dated 07.11.2017 and 30.07.2019.

For Petitioner : Mr.K.Prabhu

For Respondents : Mr.V.Anand

Government Advocate

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 second respondent to disburse the retirement benefits of him, 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 representations on 07.11.2017 and 30.07.2019 in this regard, which are said to be pending. If the said representations are 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 second respondent herein to consider the petitioner's representations, dated 07.11.2017 and 30.07.2019, 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 his representations and it is for the second respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

CP

To:

1.The Additional Director General of Police,
(Law & Order) Kamarajar Salai,
Mylapore, Chennai-04.

2.The Superintendent of Police,
Madurai District, Madurai.

3.The Deputy Inspector General of Police,
Madurai Range, Madurai

+1 CC to MR.K.PRABHU, Advocate (SR-3013[F] dated 24/01/2020)

+1 CC to SPL.GP (SR-3355[F] dated 28/01/2020)

Order made in
W.P.(MD)No.1490 of 2019

Dated:
24.01.2020

KM/(07.02.2020) 2P 6C

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