



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2020

CORAM:

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

W.P.(MD) No.1509 of 2020

WEB COPY

A.Rajamanickam

... Petitioner

/vs./

The Director,
Adi Dravidar Welfare Department,
Chepauk, Chennai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to sanction the special provident fund, gratuity and encashment of earn leave etc., to the petitioner by considering the representation dated 02.12.2019 within a stipulated time.

For Petitioner	: Mr.V.Panneer Selvam
For Respondent	: 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. Though the petitioner has sought for issuance of writ of mandamus to direct the respondent to sanction the special provident fund, gratuity and encashment of earn leave etc., to him, the petitioner now abridged the prayer and submitted that if the representation dated 02.12.2019 given by him is directed to be considered by the respondent, he would be satisfied.

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 respondent herein to consider the petitioner's representation, dated 02.12.2019, 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



respondent to consider it in accordance with law. In case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

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

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To:
The Director,
Adi Dravidar Welfare Department,
Chepauk, Chennai

+1 CC to M/s.SPL.GP (SR-3738[F] dated 29/01/2020)
+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-3416[F]

Order made in
W.P. (MD) No.1509 of 2020
Dated: 27.01.2020

SMA/11/02/2020/2P/4C