



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.2399 of 2020

Samala

... Petitioner

vs.

1.The State of Tamil Nadu,
Rep. by the District Collector,
Nagercoil,
Kanyakumari District.

2.The Tahsildhar,
Vilavancode Taluk,
Kuzhithurai Post,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 26-04-2019 on the light of the G.O.Ms.No.437 dated 23.06.1988 Commissioner and Secretary to Government, Finance (Pension) Department.

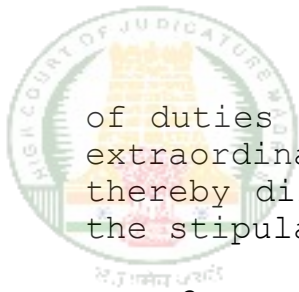
For Petitioner : Mr.M.Velikani Raju

For Respondents : Mr.V.Anand,
Government Advocate

O R D E R

The limited prayer sought for in the present writ petition is for a direction to the respondents to consider the petitioner's representation dated 26.04.2019 on the light of the G.O.Ms.No.437 dated 23.06.1988 Commissioner and Secretary to Government, Finance (Pension) Department.

2. 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.

3. In the light of the above, there will be a direction to the first respondent to consider the petitioner's representation dated 26.04.2019 on the light of the G.O.Ms.No.437 dated 23.06.1988 Commissioner and Secretary to Government, Finance (Pension) Department and pass appropriate orders within a period of six (06) 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 first respondent to consider it in accordance with law.

4. With the above directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

1.The District Collector,
Nagercoil,
Kanyakumari District.

2.The Tahsildhar,
Vilavancode Taluk,
Kuzhithurai Post,
Kanyakumari District.

+1 CC to M/s.Special Government Pleader (SR-9140[F] dated
28/02/2020)

Order made in

W.P. (MD) No.2399 of 2020

Dated:26.02.2020

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SDS (01.06.2020) 2P-4C