



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P.(MD) No.2517 of 2020

and

W.M.P.(MD) No.2166 of 2020

WEB COPY

N.Manonmani

... Petitioner

/Vs./

1.The Director of Municipal Administration,
O/o., The Director of Municipal Administration,
Chennai-5.

2.The Commissioner of Madurai Corporation,
O/o., The Commissioner of Madurai Corporation,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to provide subsistence allowance to the petitioner from the month of September 2018 till date, within the time period stipulated by this Court.

For Petitioner
For Respondents

: Mr.T.Lajapathi Roy
: Mr.M.Karuppasamy
Government Advocate (For R1)

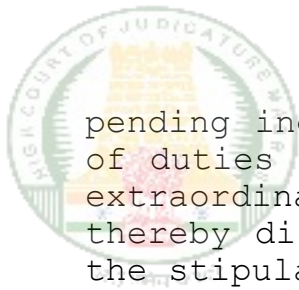
ORDER

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 provide subsistence allowance to the petitioner from the month of September 2018 till date, 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 she has already made representation on 22.01.2020 in this regard, which is said to be pending. If the said representation is 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.

WEB COPY

5. In view of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation, dated 22.01.2020, on its own merits and pass appropriate orders within a period of four (4) 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 her representation and it is for the respondents to consider it in accordance with law.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To:

1. The Director of Municipal Administration,
O/o., The Director of Municipal Administration,
Chennai-5.
2. The Commissioner of Madurai Corporation,
O/o., The Commissioner of Madurai Corporation,
Madurai.

+1 CC to M/s.SPL GP (SR-5600[F] dated 11/02/2020)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-5800[F] dated 12/02/2020

Order made in
W.P. (MD) No.2517 of 2020
Dated: 10.02.2020

SMA/24/02/2020/2P/5C