



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH
W.P.(MD) No.2801 of 2020

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Dr.K.Lakshmi

: Petitioner

Vs

1. The Director of Municipal Administration,
6th Floor, Ezhilagam Annex Building,
Kamarajar Promenade,
PWD Estate,Chepauk,
Triplicane,
Chennai - 600 005.

2. The Commissioner of Madurai Corporation,
Madurai - 625 002.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents i.e , the Director of Municipal Administration, Chennai and the Commissioner of Madurai Corporation, Madurai to disburse the DCRG and commutation of pension to the petitioner as already sanctioned by the Deputy Director of Local Fund Audit, Corporation Audit, Madurai Corporation as per proceedings நி மு எண் 1237/அ3/2019 dated 21.10.2019, with 18% of compounding interest for the delay in not disbursing the DCRG and Commutation of pension till today, within a specified time frame fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.V.Anand

Government Advocate

O R D E R

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 respondents to disburse the DCRG and commutation of pension to the petitioner as already sanctioned by the Deputy Director of Local Fund Audit, Corporation Audit, Madurai Corporation as per proceedings நி மு எண் 1237/அ3/2019 dated 21.10.2019, with interest, in my view, such a decision is to be taken by the second respondent 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.

5. In view of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation, dated 22.01.2020, on its own merits and pass appropriate orders within a period of eight 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 direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

To

1. The Director of Municipal Administration,
6th Floor, Ezhilagam Annex Building,
Kamarajar Promenade,
PWD Estate,Chepauk,
Triplicane,
Chennai - 600 005.
2. The Commissioner of Madurai Corporation,
Madurai - 625 002.



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+1 CC to Mr.S.VISVALINGAM, Advocate (SR-6056[F] dated 13/02/2020)
+1 CC to SPL.GP (SR-6302[F] dated 14/02/2020)

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13.02.2020

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