



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.3414 of 2020

WEB COPY

S.Ganesan

... Petitioner

/vs./

1.The Inspector General of Registration,
Registration Department,
100, Santhome High Road,
Mullima Nagar,
Mandavelipakkam,
Chennai-600028.

2.The District Registrar,
Periyakulam,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the second respondent i.e., the District Registrar, Periyakulam, Theni District to take purposeful action on the letter R.C.No.46913/A3/2014-2 dated 29.08.2017 of the Inspector General of Registration, Chennai, for the disbursement of Family Benefit Fund to the petitioner within a specified time frame that may be fixed by this Court.

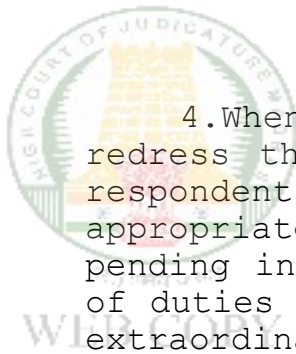
For Petitioner : Mr.S.Visvalingham
For Respondents : Mr.M.Murugan
Government Advocate

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 i.e., the District Registrar, Periyakulam, Theni District, to take purposeful action on the letter R.C.No.46913/A3/2014-2, dated 29.08.2017 of the Inspector General of Registration, Chennai, for the disbursement of Family Benefit Fund to 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 representation on 07.04.2018 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 respondents herein to consider the petitioner's representation, dated 07.04.2018, after giving due opportunity to the legal heirs of the deceased employee, 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 respondents to consider it in accordance with law.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Cp

To:

1. The Inspector General of Registration,
Registration Department,
100, Santhome High Road,
Mullima Nagar,
Mandavelipakkam,
Chennai-600028.

2. The District Registrar,
Periyakulam,
Theni District.

+1 CC to Mr.S.VISWALINGAM, Advocate (SR-7308[F] dated 20/02/2020)
+1 CC to SPL.GP (SR-7522[F] dated 21/02/2020)

Order made in
W.P. (MD) No.3414 of 2020
Dated: 20.02.2020

MK (10.03.2020) 2P 5C

<https://hcservices.ecourts.gov.in/hcservices/>