



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.02.2020**

CORAM:

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

W.P. (MD) No. 3584 of 2020

WEB COPY

B. Sivanpandy,
Record Clerk,
District Rural Development Agency,
District Collectorate,
Theni, Theni District.

... Petitioner

/vs./

1. The Principal Secretary to Government,
Department of Rural Development & Panchayat Raj,
Secretariat, Chennai.

2. The Director of Rural Development & Panchayat Raj,
Saidapet, Chennai.

3. The District Collector,
Theni, Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 13.12.2019 within a stipulated time.

For Petitioner : Mr. N. Tamilmani
For Respondents : Mr. M. Jeykumar
Additional Government Pleader.

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The limited prayer sought for by the petitioner is that to consider the representation dated 13.12.2019, seeking for pensionary benefits.

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 merit 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 second respondent herein to consider the petitioner's representation dated 13.12.2019 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 second respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

cp

To

1. The Principal Secretary to Government,
Department of Rural Development & Panchayat Raj,
Secretariat, Chennai.

2. The Director of Rural Development & Panchayat Raj,
Saidapet, Chennai.

3. The District Collector,
Theni, Theni District.

+1 CC to M/s. N. TAMILMANI, Advocate (SR-7735[F] dated 24/02/2020)

+1 CC to M/s. SPL.GP (SR-7801[F] dated 24/02/2020)

Order made in
W.P. (MD) No. 3584 of 2020
Dated: 21.02.2020

SMA/10/03/2020/2P/6C