



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.3683 of 2020

WEB COPY

G.Vasantha

... Petitioner

/vs./

1.The Director of Public Libraries,
Directorate of Public Libraries,
No.737/1, Annasalai,
Chennai-2.

2.The District Library Officer,
Local Library Authority,
Melapulivar Road,
Trichirappalli-2.

... 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 14.11.2019 in the light of G.O.Ms.No.348 dated 28.11.2017 Finance (Pay Cell) Department and sanction the Special monthly pension and lumpsum payment with interest till the date of payment within the time frame stipulated by this Court.

For Petitioner : Mr.M.Kannan

For Respondents : Mr.M.Jeyakumar

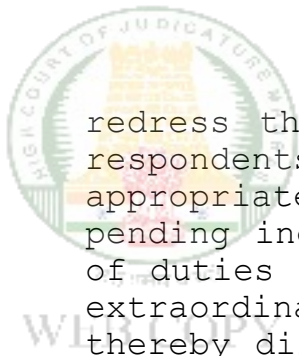
Additional Government Pleader

ORDER

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

2. Though the petitioner has sought for issuance of a writ of mandamus to direct the respondents to consider his representation dated 14.11.2019, in the light of G.O.Ms.No.348, dated 28.11.2017, Finance (Pay Cell) Department and sanction the Special monthly pension and lumpsum payment with interest till the date of payment, the learned counsel for petitioner would submit that he would be satisfied if the representation dated 14.11.2019 given by the petitioner is directed to be considered by the respondents within a stipulated time.

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 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.

4. In view of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation, dated 14.11.2019, 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 her representation and it is for the first respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp
To:

1.The Director of Public Libraries,
Directorate of Public Libraries,
No.737/1, Annasalai,
Chennai-2.

2.The District Library Officer,
Local Library Authority,
Melapulivar Road,
Trichirappalli-2.

+1 CC to M/s.M.KANNAN, Advocate (SR-7859[F] dated 24/02/2020)

+1 CC to M/s.SPL.GP (SR-8044[F] dated 25/02/2020

Order made in
W.P. (MD) No.3683 of 2020
24.02.2020

KK/09.03.2020/ 2P- 5C

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