



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2020

CORAM:

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

W.P.(MD)No.3914 of 2020

R.Ramayee

... Petitioner

/vs./

1.The Secretary to Government,
Home (Police) Department,
Fort St.George,
Chennai-600 009.

2.The Director General of Police,
Mylapore,
Chennai-600 004.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Thanthonymalai,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 herein to take necessary action for releasing petitioner's pension and gratuity amount based on petitioner's representation dated 26.10.2019 within the time stipulated by this Court.

For Petitioner : Mr.M.Bindran

For Respondents : Mr.M.Karuppasamy
Government Advocate

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 his representation dated 26.10.2019 seeking a direction to the second and third respondents herein to take necessary action for releasing the petitioner's pension and gratuity amount.



3. Whenever a representation is made to a statutory authority to redress the claim of the petitioner, 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 third respondent herein to consider the petitioner's representations dated 26.10.2019 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 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 (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1. The Secretary to Government,
Home (Police) Department,
Fort St. George, Chennai-600 009.

2. The Director General of Police,
Mylapore, Chennai-600 004.

3. The Superintendent of Police,
Office of the Superintendent of Police,
Thanthonyalai, Karur District.

+1 CC to M/s. Special Govt. Pleader (SR-8772[F] dated 27/02/2020)

+1 CC to M/s. M. BINDRAN, Advocate (SR-8685[F] dated 27/02/2020)

Order made in
W.P. (MD) No. 3914 of 2020
26.02.2020