

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 26.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10333 of 2021
and
W.M.P.No.10915 of 2021

K.Ravikumar

...Petitioner

Vs

1.The Senior Divisional Security
Commissioner,
Railway Protection Force,
Southern Railway,
Chennai-600 003.

2.The Senior Divisional Finance
Manager,
Railway Protection Force,
Southern Railway,
Chennai-600 003.

3.The Principal Chief Security
Commissioner,
Railway Protection Force,
Southern Railway,
Chennai-600 003.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to disburse all the service and terminal benefits of the petitioner with interest for the delayed payment of retirement benefits within a time frame.

For Petitioner : Mrs.S.Revathy

O R D E R

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

2. Since the petitioner's request to the respondents to disburse all the service and terminal benefits was not considered, the present writ petition has been filed. According

to the petitioner, he has made a representation in this regard on 12.01.2021, which is still pending.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, 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. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, it would be appropriate to direct the first respondent herein to consider the petitioner's representation dated 12.01.2021, within a stipulated time and thereby, the ends of justice could be secured. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the first respondent to consider the petitioner's representation dated 12.01.2021, on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sbn
To

1.The Senior Divisional Security
Commissioner,
Railway Protection Force,
Southern Railway,
Chennai 600 003.

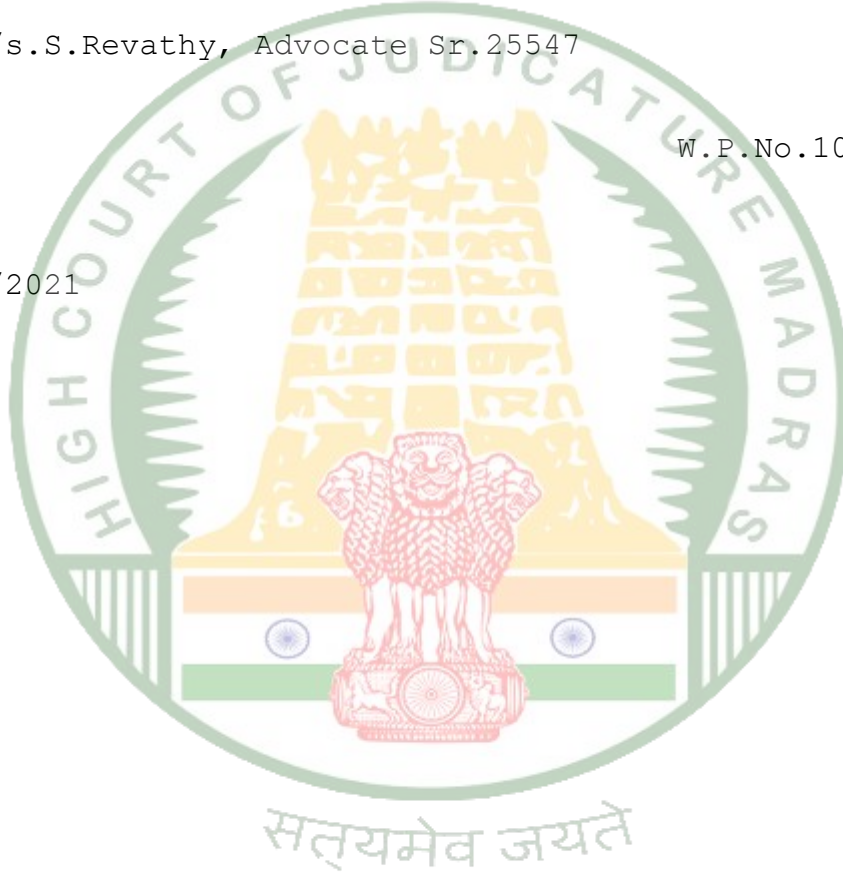
2.The Senior Divisional Finance
Manager,
Railway Protection Force,
Southern Railway,
Chennai-600 003.

3.The Principal Chief Security
Commissioner,
Railway Protection Force,
Southern Railway,
Chennai 600 003.

+2cc to M/s.S.Revathy, Advocate Sr.25547

W.P.No.10333 of 2021

sr II[co]
srg 29/06/2021



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