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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 22.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.28775 of 2019
(Through Video Conference)

D.Glarin Madhana

...Petitioner

Vs

1. The Customer Relation Officer,
Divisional Office,
Anna Nagar,
Chennai 600 040

2. The Branch Manager,
Life Insurance Corporation of India (CBO.22),
No.128, Bricklin road,
Purasawakkam Branch,
Chennai 600 007

3. The Assistant Branch Manager,
Life Insurance Corporation of India (CBO.22),
No.128, Bricklin Road,
Purasawakkam Branch,
Chennai 600 007

4. A.Irish Golda

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first and second respondent to take appropriate action on the petitioner's representation letter dated 24.03.2016 in relating to get the prior benefits from 2011 to 2012, claim arrears of Gratuity Calculation, renewal commission and death claim benefits.

For Petitioner : No Appearance



O R D E R

Earlier, the petitioner herein had filed a Writ Petition in W.P.No.20238 of 2014 to consider her representation dated 01.10.2013 and this Court disposed of the same with a direction to the respondents 1 to 3 to consider the petitioner's representation and to disburse the amount payable to the petitioner, in pursuant to the death of late A.Devarajesh, husband of the petitioner. Thereafter, the respondents 1 to 3 had released the benefits to the petitioner only upto 2013 to 2015 but the prior benefits from 2011 to 2012 were not released. Since the petitioner's request for the grant of prior benefits from the year 2011 to 2012 was not considered, the present Writ Petition has been filed. According to the petitioner, she has also made a representation in this regard on 24.03.2016, which is still pending.

2. 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.

3. In the light of the above observations, it would be appropriate to direct the second respondent herein to consider the petitioner's representation dated 24.03.2016 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.

4. Accordingly, there shall be a direction to the second respondent to consider the petitioner's representation dated 24.03.2016 on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-VI)

// True Copy //

Sub Assistant Registrar

sts

To:

The Customer Relation Officer,
Divisional Office,
Anna Nagar, Chennai 600 040

+1CC to Mr.A.Kalathy, Advocate, SR.No. 35518

W.P.No.28775 of 2019

CP(CO)
B.VC (26/08/2021)