



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 07.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30858 of 2018

V.Jeganathan

...Petitioner

Vs

1. The Director of Rural Development
and Panchayat Raj,
Panagal Building, Saidapet,
Chennai-15.

2. The District Collector,
Kancheepuram District,
Kancheepuram.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the petitioner's retirement benefits like balance amount of GPF, Special GPF, Encashment of Earned Leave and Encashment of Unearned Leave on Private Affairs to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.K.Tippu Sulthan
Government Advocate

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 for granting retirement benefits was not considered by the second respondent herein, the present writ petition has been filed. According to the petitioner, he has made a representation in this regard on 16.10.2018, 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 second respondent herein to consider the petitioner's representation dated 16.10.2018 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 second respondent to consider the petitioner's representation dated 16.10.2018 on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

sbn

To

1. The Director of Rural Development and Panchayat Raj,
Panagal Building, Saidapet,
Chennai-15.
2. The District Collector,
Kancheepuram District,
Kancheepuram.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.33805

W.P.No.30858 of 2018

JPL (CO)
RLP (04/08/2021)