



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.970 of 2021

G.Ayyadurai

...Petitioner

Vs.

The Tahsildar (Revenue),
Virudhunagar,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to pay the subsistence allowance to the petitioner i.e., from 01.09.2019, based on the petitioner's representation dated 05.02.2020.

For Petitioner : Mr.M.Subash Babu

For Respondent : Mr.A.Muthu Karuppan
Additional Government Pleader

O R D E R

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

2.Since the petitioner's request to the respondents to pay the subsistence allowance to the petitioner i.e., from 01.09.2019, was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 07.09.2020, 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 respondent herein to consider the petitioner's representation dated 07.09.2020, within a stipulated time and thereby the ends of justice could be secured.

5.Accordingly, there shall be a direction to the respondent to consider the petitioner's representation dated 07.09.2020, on

<https://hcservices.ecourts.gov.in/hcservices/>



its own merits and pass appropriate orders in accordance with law, within a period of two 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 III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Tahsildar (Revenue),
Virudhunagar,
Virudhunagar District.

+1 CC to M/s.GP (SR-2014[F] dated 25/01/2021)

+1 CC to M/s.M.SUBASH BABU, Advocate (SR-1934[F] dated 22/01/2021)

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