



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.2743 of 2021

P.Mariammal

...Petitioner

Vs.

The Commissioner,
Madurai Corporation,
Anna Maaligai,
Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent to release the service benefits of the petitioner's late husband Mr.G.Pandi to the petitioner.

For Petitioner	: Mr.N.Sundaresan
For Respondent	: Mr.T.S.Mohammed Mohideen, Standing Counsel

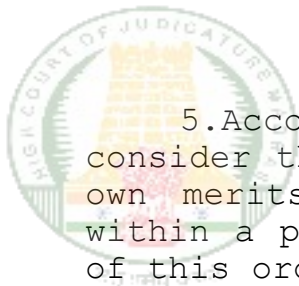
O R D E R

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

2.The petitioner's representation dated 23.09.2019 seeking service benefits of the petitioner's late husband Mr.G.Pandi has not been considered by the respondent and therefore, the petitioner has filed the present writ petition.

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 23.09.2020 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 view 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 respondent to consider the petitioner's representation dated 23.09.2020 in 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 (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dsk

To
The Commissioner,
Madurai Corporation,
Anna Maaligai,
Madurai.

+1 CC to M/s.T.S.MOHAMED MOHIDEEN, Advocate (SR-5245[F] dated 16/02/2021)

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KG(CO)
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