



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.2946 of 2021

WEB COPY

Yogam

...Petitioner

Vs.

1. The District Educational Officer,
Thanjavur District, Thanjavur.

2. The Assistant Elementary Educational Officer,
Orathanadu, Thanjavur District.

3. The Treasury Officer,
District Treasury,
Thanjavur District,
Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents herein to disburse the monthly pension to the petitioner on the basis of the petitioner's representation dated 10.03.2020 within the time stipulated by this Court.

For Petitioner

: Mr.N.Mariappan

For Respondents

: Mr.N.Shanmugaslevam

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 disburse the monthly pension to him was not considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard on 10.03.2020, which are 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.At this juncture, it is stated by the learned Additional Government Pleader appearing for the respondents that the appropriate authority to consider the petitioner's request for disbursement of monthly pension would be the first respondent herein.

5.Accordingly, the petitioner is granted liberty to make a fresh representation to the first respondent herein, as expeditiously as possible and on receipt of such representation, the first respondent herein shall consider the same, on its own merits and in accordance with law, within a period of three months from the date of receipt of a copy of the representation.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CP

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

1. The District Educational Officer,
Thanjavur District, Thanjavur.
2. The Assistant Elementary Educational Officer,
Orathanadu, Thanjavur District.
3. The Treasury Officer,
District Treasury,
Thanjavur District, Thanjavur.

+1 CC to THE SPECIAL GOVERNMENT PLEADER(SR-5967[F] dated 18/02/2021)

Order made in
W.P. (MD) No.2946 of 2021
16.02.2021

KUN(CO)

SRS (02/03/2021) 2P : 5C

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