



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.34141 OF 2012
AND WMP.NO.25356 OF 2018

N.Manian

... Petitioner

Vs.

1. The Superintendent of Police,
Erode.
2. The Inspector General of Police,
Coimbatore.
3. The Inspector General of Police,
Chennai.
4. The Superintendent of Police,
Tiruppur, Tiruppur District.

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representations dated 09.08.2010, 02.07.2010, 13.07.2010 for payment of the sums from Chief Minister's Fund viz., Rs.2,00,000/-, compassionate sum of Rs.5,00,000/- besides welfare-cum-Gratuity fund of Rs.1,38,000/- totalling to Rs.8,38,000/-.

For Petitioner : Mr.K.Nagarajan

For Respondents: Mr.E.Veda Bagath Singh [R1, R2 & R4]
Special Government Pleader
No Appearance [R3]



ORDER

WEB COPY The petitioner herein had given representations dated 09.08.2010, 02.07.2010, 13.07.2010 for payment of the sums from Chief Minister's Fund viz., Rs.2,00,000/-, compassionate sum of Rs.5,00,000/- besides welfare-cum-Gratuity fund of Rs.1,38,000/- totalling to Rs.8,38,000/-. Since the said representations were not considered, the present writ petition has been filed.

2. It is needless to point out that whenever representations of this nature are 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. Since the representations given by the petitioner dates back to the year 2010, it would be appropriate that the petitioner be granted liberty to give a fresh consolidated representation, with a consequential direction to the respondents herein, to consider the same.

4. In the light of the above observations, the petitioner is granted liberty to give a fresh representation to the respondents herein, ventilating his grievances. On receipt of the same, the respondents shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, this Writ Petition stands disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Sni



To

1. The Superintendent of Police,
Erode.
2. The Inspector General of Police,
Coimbatore.
3. The Inspector General of Police,
Chennai.
4. The Superintendent of Police,
Tiruppur, Tiruppur District.

+1cc to Mr.K.Nagarajan, Advocate, S.R.No.14394
+1cc to the Government Pleader, S.R.No.15059

W.P.No.34141 of 2012

GMR (CO)
PM/01/04/2022