



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2022

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.7948 OF 2022

Therabian

... Petitioner

Vs.

The Commissioner,
Puducherry Municipality,
Puducherry.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 18.10.2019 and to dispose the same within the time frame fixed by this Court.

For Petitioner : Ms.K.Annamma

For Respondent : Mrs.G.Jdearani
Government Advocate
(Puducherry)

O R D E R

The relief sought for in this writ petition is for Mandamus to direct the respondent to consider the representation of the petitioner dated 18.10.2019 and to dispose the same within the time frame fixed by this Court.

2.The case of the petitioner in brief:

The petitioner herein is a daughter of the deceased Mahalingam, who was working as Sanitary Worker in Puducherry Municipality and he died intestate leaving behind his three legal heirs. The wife of the deceased along with two legal heirs except the petitioner, have applied for family pension and payment of pensionary benefits of deceased. Except the



petitioner, the other legal heirs were died. Therefore, the petitioner made a representation on 23.12.2014 to the respondent to pay the pensionary benefits and for employment on compassionate ground and the said representation was received on the same day and acknowledgment has been forwarded to E.E.Puducherry to conduct enquiry and to file a report, but it was pending. Thereafter, the petitioner made several representations dated 20.05.2016, 14.11.2016 and 18.10.2019 to the respondent but no reply has been received till date. Hence, the writ petition.

3.The learned counsel for the petitioner would submit that since the petitioner is the only surviving legal heir of her deceased father, she made a representation on 23.12.2014 to the respondent to pay the pensionary benefits and for employment on compassionate ground and the same was forwarded to E.E.Puducherry to conduct enquiry and to file a report, but it was pending. Therefore, she made several representations, but the respondent has not taken any steps. Therefore, he seeks for indulgence of this Court.

4.The learned Government Advocate appearing for the respondent would submit that no such representation has been received by the respondent.

5.On perusal of the documents filed in the typed set of papers, it is seen that the writ petitioner's representation dated 18.10.2019 was addressed to the respondent/Commissioner, Puducherry Municipality, Puducherry. Therefore, in view of the above, this Court directed the petitioner to furnish the copy of the said representation to the respondent within one week from the date of receipt of a copy of this order and on such representation received, the respondent Municipality is directed to consider the said representation of the petitioner on its own merits and in accordance with law, within a period of twelve weeks from thereafter.

6.With the above observation, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ata/dua



To

The Commissioner,
Puducherry Municipality,
Puducherry.

+1cc to M/s.K.Annamma, Advocate, S.R.No.25304

+1cc to the Government Pleader(Puducherry), S.R.No.25368

W.P.No.7948 of 2022

MT (CO)
RLP (02/05/2022)