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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.13662 of 2022

V.T.Baskara Babu

...Petitioner

Vs

The District Collector,
Tiruvallur District at Tiruvallur.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to pass orders on the representation dated 25.01.2022 seeking revised pension and pensionary benefits by regularizing the period of suspension between 17.11.2006 and 30.06.2012 as per Fundamental Rules pursuant to the respondent's proceedings made in Na.Ka.34255/2006/Aa3 dated 30.06.2020 within a time to be stipulated in this Court.

For Petitioner : Mr.L.Chandrakumar

For Respondent : Mr.P.Ganesan,
Government Advocate

ORDER

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

2.The petitioner herein had given a representation to the respondents on 25.01.2022 seeking revised pension and pensionary benefits by regularizing the period of suspension between 17.11.2006 and 30.06.2012. Since the said representation was not considered, the present writ petition is filed.

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.

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4. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 25.01.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views 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. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

hvk

To

The District Collector,
Tiruvallur District at Tiruvallur.

+1cc to Mr.L.Chandrakumar, Advocate SR. No. 32120

W.P.No.13662 of 2022

MT (CO)

PR (16/06/2022)