



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.14127 of 2022

V.Chandramohan

... Petitioner

Vs

1. The Commissioner of Municipal Administration,
Chepauk,
Chennai - 5.

2. The Commissioner,
Salem Municipal Corporation,
Salem - 1.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to disburse the petitioner's retirement benefit, leave salary for 240 days and C.P.S by considering the petitioner's representations dated 04.09.2021 and 19.05.2022 within the time framed by this Court.

For Petitioner : Mr.S.Sivakumar

For Respondents: Mr.T.Chezhiyan,
Additional Government Pleader

ORDER

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

2. The petitioner herein had given a representations to the second respondent on 04.09.2021 and 19.05.2022 seeking permission to disburse the petitioner's retirement benefit, leave salary for 240 days and C.P.S by considering the petitioner's representations dated 04.09.2021 and 19.05.2022 within the time framed by this Court.

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, there shall be a direction to the second respondent herein to consider the petitioner's representations dated 04.09.2021 and 19.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight 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/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

grs/asr

To

1. The Commissioner of Municipal Administration,
Chepauk,
Chennai - 5.
2. The Commissioner,
Salem Municipal Corporation,
Salem - 1.

+1cc to Mr.S.Sivakumar, Advocate, S.R.No.32463

W.P.No.14127 of 2022

NK(CO)
CT/20/06/2022