



WP(MD)No.554 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.07.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.554 of 2021

A.Palanisamy

... Petitioner

/vs./

The Commissioner,
Madurai Corporation,
Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to disburse the encashment of leave salary and special provident fund in terms of the orders made in W.A.(MD)No.105/2019 dated 31.07.2019 within the time frame fixed by this Court.

For Petitioner : Mr.A.Srinivasan

For Respondent : Mr.B.Saravanan

Standing Counsel



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ORDER

The petitioner herein had given a representation to the respondent on 12.08.2020 seeking for disbursement of the encashment of leave salary and special provident fund, in terms of the orders made in W.A.(MD)No.105/2019 dated 31.07.2019. Since the said representation was not considered, the present writ petition has been filed.

2.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.

3.In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 12.08.2020 on



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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.

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

21.07.2022

Index : Yes / No
Internet : Yes / No
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To:

The Commissioner,
Madurai Corporation,
Madurai.



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M.S.RAMESH, J.

Sm

Order made in
W.P.(MD) No.554 of 2021

Dated:
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