



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.06.2022**

CORAM:

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

W.P. (MD)No.10840 of 2022

1.P.Velammal
2.Lakshmi
3.Subbu Shyamala
4.Amutha

... Petitioners

/vs./

The Joint Director of Medical Services,
Welfare Office, Tenkasi, Tenkasi District. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to consider and pass order on the representation of the petitioners dated 17.11.2020, in releasing the retirement and pensionary benefits of the deceased employee, late Pitchaiah Pillai forthwith to enable the petitioners to get the benefits without any further delay.

For Petitioners	:	Mr.K.A.Mariappan
For Respondent	:	Mr.M.Siddharthan
		Additional Government Pleader

ORDER

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

2.The petitioners herein had given a representation to the respondents on 17.11.2020 seeking for releasing the retirement and pensionary benefits of the deceased employee, late Pitchaiah Pillai forthwith to enable the petitioners to get the benefits without any further delay. Since the said representation was not considered, the present writ petition has been 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.



4. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 17.11.2020 on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) 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-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

The Joint Director of Medical Services,
Welfare Office, Tenkasi, Tenkasi District.

+1 CC to M/s.SPL.GP (SR-24411[F] dated 07/06/2022)

+1Cc to Mr.K.A.Mariappan, Advocate, SR.No. 24308 dated 06/06/2022

W.P. (MD) No.10840 of 2022
06.06.2022

SG(CO)
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