



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.06.2022**

CORAM:

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

W.P. (MD) No.10838 of 2022

G.Sivagaran

... Petitioner

/vs./

1.The Managing Director,
O/o. The Managing Director,
Tamilnadu Water Supply and Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 600 005.

2.The Administrative Engineer,
O/o. Administrative Engineer,
Rural Drinking Water Scheme,
Tuticorin.

3.The Superintending Engineer,
O/o. The Superintending Engineer,
Water Resource Department,
Kovilpatti, Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent No.2 to disburse the retirement benefits of Late Mrs.R.Komathi to the petitioner by considering the Representation dated 26.11.2021 within the time period stipulated by this Court.

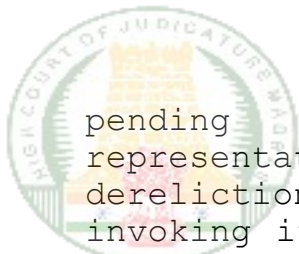
For Petitioner	:	Mr.Aswin Rajasimman for Mr.T.Lajapathi Roy
For Respondents	:	Mr.B.Vijay Karthikeyan Standing Counsel

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 26.11.2021 seeking for disbursing the retirement benefits of Late Mrs.R.Komathi to the petitioner. 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.

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4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 26.11.2021 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/-

Assistant Registrar(CS-III)

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/ /2022

Sub Assistant Registrar(CS)

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to

1. The Managing Director,
O/o. The Managing Director,
Tamilnadu Water Supply and Drainage Board,
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O/o. Administrative Engineer,
Rural Drinking Water Scheme,
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3. The Superintending Engineer,
O/o. The Superintending Engineer,
Water Resource Department,
Kovilpatti, Tuticorin District.



+1 CC to M/s.B.VIJAY KARTHIKEYAN, Advocate (SR-24344[F] dated
07/06/2022)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-24335[F] dated
07/06/2022)

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