



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.06.2022**

CORAM:

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

W.P. (MD)No.10940 of 2022

M.Kalimuthu

... Petitioner

/vs./

1.The Secretary to Government,
Revenue and Disaster Management Department,
Service Wing,
Secretariat, Chennai.

2.The Principal Secretary and Commissioner of Revenue Admn.,
Ezhilagam,
Chepauk,
Chennai - 600 005.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents to pay the interest at the rate of 18 % per annum on the belated payment of retirement benefits that is from 30.06.2017 by considering the representation dated 04.10.2021 and 22.10.2021 within a time frame that may be fixed by this Court.

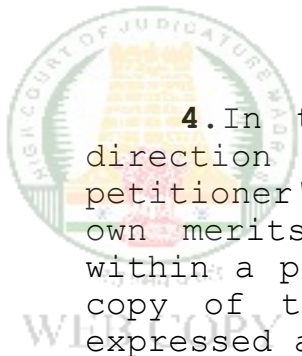
For Petitioner	:	Mr.C.Herold Singh
For Respondents	:	Mr.R.Ragavendran Government Advocate

ORDER

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

2.The petitioner herein had given representations to the respondents on 04.10.2021 and 22.10.2021 seeking for payment of interest at the rate of 18 % per annum on the belated payment of retirement benefits that is from 30.06.2017. Since the said representations were 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 first respondent herein to consider the petitioner's representations dated 04.10.2021 and 22.10.2021 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 I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Secretary to Government,
Revenue and Disaster Management Department,
Service Wing,
Secretariat, Chennai.

2.The Principal Secretary and Commissioner of Revenue Admn.,
Ezhilagam, Chepauk,
Chennai - 600 005.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-24708[F] dated 09/06/2022)

+1 CC to M/s.SPL.GP (SR-24883[F] dated 09/06/2022)

Order made in
W.P. (MD)No.10940 of 2022

Dated:
08.06.2022

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