



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2022

CORAM:

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

W.P. (MD)No.11015 of 2022

WEB COPY

Sekar Kannapiran

... Petitioner

/vs./

The Commissioner,
O/o. The Puliyanankudi Municipality,
Puliyanankudi,
Tenkasi District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondent herein to disburse the payment of 5th Pay Commission arrears from 01.06.1988 to 31.05.1989 along with accrued interest by considering the petitioner's representation dated 27.05.2019.

For Petitioner : Mr.C.Suresh Kannan

ORDER

This writ petition has been filed seeking for a direction to the respondent herein to disburse the payment of 5th Pay Commission arrears from 01.06.1988 to 31.05.1989 along with accrued interest by considering the petitioner's representation dated 27.05.2019.

2.The petitioner herein had given a representation to the respondent on 27.05.2019 seeking for disbursement of the payment of 5th Pay Commission arrears from 01.06.1988 to 31.05.1989 along with accrued interest. 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 27.05.2019 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(AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

The Commissioner,
O/o. The Puliyanankudi Municipality,
Puliyanankudi,
Tenkasi District.

+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-24670[F] dated 08/06/2022)

Order made in
W.P.(MD) No.11015 of 2022
Dated: 08.06.2022

CK (CO)
TR(17.06.2022) 2P 3C