



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) .No.11254 of 2022

M.Chellammal

... Petitioner

Vs.

1.The Commissioner of Municipal Administration and
Water Supply,
No.78, Urban Administrative Building,
Santhome High Road,
Chennai - 600 028.

2.The Director of Local Fund Audit,
Integrated Finance Department Complex,
4th Floor, Nandanam,
Chennai - 600 035.

3.The Commissioner,
Melur Municipality,
Melur.

...Respondents

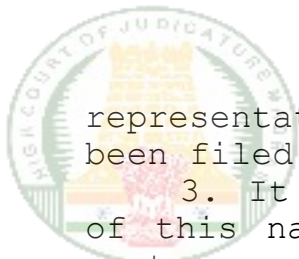
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent i.e., the Commissioner of Municipal Administration and Water Supply, Chennai to send the service register of the petitioner's late father to the Director of Local Fund Audit, Chennai and further direct the second respondent i.e., the Director of Local Fund Audit, Chennai to sanction family pension based on the all other certificates and the destitution certificate produced by the petitioner, within a specified time frame that may be fixed by this Court.

For Petitioner	:	Mr.S.Visvalingham
For R-1 and R-2	:	Mr.A.Sivanupandian, Government Advocate.

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 13.12.2021 seeking to send the service register of her late father and to sanction family pension. 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 respondents herein to consider the petitioner's representation dated 13.12.2021 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, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Lm

To

1.The Commissioner of Municipal Administration and
Water Supply,
No.78, Urban Administrative Building,
Santhome High Road, Chennai - 600 028.

2.The Director of Local Fund Audit,
Integrated Finance Department Complex,
4th Floor, Nandanam, Chennai - 600 035.

3.The Commissioner,
Melur Municipality, Melur.

+1 CC to M/s.SPL GP (SR-25433[F] dated 13/06/2022)

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10.06.2022

MGJ(23.06.2022) 2P 5C

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