



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) .No.11856 of 2022

S.Devaraj

...Petitioner

Vs.

1.State of Tamil Nadu,
Represented by its Secretary to Government,
Finance Department,
Fort St.George,
Chennai - 9.

2.The Principal Accountant General (A&E),
361, Annasalai,
Teynampet,
Chennai-18.

3.The District Collector,
Ramanathapuram District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent No.3 to revise the pension of the petitioner with all consequential benefits including arrears by considering the representation of the petitioner dated 18.05.2022 within the time period stipulated by this Court.

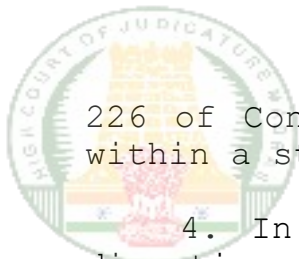
For Petitioner	:	Mr.T.Lajapathi Roy
For Respondents	:	Mr.A.Sivanupandian, Government Advocate.

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 18.05.2022 seeking to revise the pension of 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.

4. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 18.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months 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. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Lm

To

1.The Secretary to Government of Tamil Nadu,
Finance Department,
Fort St.George,
Chennai - 9.

2.The Principal Accountant General (A&E),
361, Annasalai,
Teynampet,
Chennai-18.

3.The District Collector,
Ramanathapuram District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-26026[F] dated 16/06/2022)

+1 CC to M/s.SPL.GP (SR-26545[F] dated 17/06/2022)

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KB(28.06.2022) 2P 6C