



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.06.2022**

CORAM:

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

W.P. (MD)No.13100 of 2022

A.Devadoss

... Petitioner

/vs./

1.The Secretary to Government,
State of Tamilnadu,
Department of Municipal Administration & Water Supply,
Fort St.George, Chennai-600 009.

2.The Commissioner of Municipal Administration,
Ezhilagam Annexe, Chepauk,
Chennai-600 005.

3.The Commissioner,
Madurai Corporation,
Madurai-625 002,
Madurai District.

... Respondents

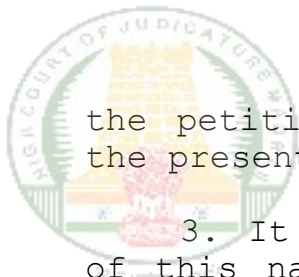
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to sanction and disburse pension, arrears of pension from 31.01.2015, Gratuity and other retirement benefits along with appropriate interest from 31.01.2015 onwards to the petitioner within a reasonable time stipulated by this Court.

For Petitioner	:	Mr.E.V.N.Siva
For R-1 & R-2	:	Mr.A.Sivanupandian Additional Government Pleader
For R-3	:	Mr.S.Vinayak 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 15.09.2021 seeking for sanction and disburse pension, arrears of pension from 31.01.2015, Gratuity and other retirement benefits along with appropriate interest from 31.01.2015 onwards 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.

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 15.09.2021 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(CRL.SIDE)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

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To

1.The Secretary to Government,
State of Tamilnadu,
Department of Municipal Administration & Water Supply,
Fort St.George, Chennai-600 009.

2.The Commissioner of Municipal Administration,
Ezhilagam Annexe, Chepauk,
Chennai-600 005.



3.The Commissioner,
Madurai Corporation,
Madurai-625 002,
Madurai District.

+1 CC to M/s.S. VINAYAK, Advocate (SR-28093[F] dated 24/06/2022)

+1 CC to M/s.SPL.GP (SR-28208[F] dated 27/06/2022)

W.P. (MD) No.13100 of 2022
24.06.2022

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