



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.06.2022**

CORAM:

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

W.P. (MD)No.13163 of 2022

WEB COPY

V.Rajankam

... Petitioner

/vs./

1.The Chief Conservator of Forest,
Chief Conservator of Forest Office,
Panazhal Maligai,
Saidapet,
Chennai-600 015.

2.The Additional Chief Conservator of Forest,
Dharmapuri Circle,
Dharmapuri,
Dharmapuri District.

3.The Assistant Treasury Officer,
Periyakulam,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to disburse the amount of sum of Rs.2,41,504/- which was wrongly recovered from the petitioner's pension and consequently to consider the petitioner's representation, dated 27.03.2021.

For Petitioner : Mr.P.Rohini
For Respondents : Mr.P.Thilak Kumar
Government Pleader

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 27.03.2021 seeking to disburse the amount of sum of Rs.2,41,504/-, which was wrongly recovered from the petitioner's pension and consequently to consider the petitioner's representation, dated 27.03.2021. 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 second respondent herein to consider the petitioner's representation dated 27.03.2021 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(RTI)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

btr

To

- 1.The Chief Conservator of Forest,
Chief Conservator of Forest Office,
Panazhal Maligai, Saidapet, Chennai-600 015.
- 2.The Additional Chief Conservator of Forest,
Dharmapuri Circle, Dharmapuri,
Dharmapuri District.
- 3.The Assistant Treasury Officer,
Periyakulam, Theni District.

+1 CC to M/s.P. ROHINI, Advocate (SR-27914[F] dated 24/06/2022)

+1 CC to M/s.SPL.GP (SR-28193[F] dated 27/06/2022)

Order made in
W.P. (MD) No.13163 of 2022
Dated:24.06.2022

SB (CO)

TR(07.07.2022) 2P 6C

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