



WP(MD)No.13364 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.13364 of 2022

Santhavalli

... Petitioner

/vs./

- 1.The Director General of Police,
Crime Branch, C.I.D.,
Egmore, Chennai.
- 2.The Deputy Inspector General of Police,
Crime Branch, C.I.D.,
Chennai.
- 3.The Inspector of Police,
Crime Branch C.I.D. (SID),
Tirunelveli,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd Respondent herein to disburse the petitioner's earned leave salary of 80 days by considering the petitioners representation to the 1st respondent, dated 25.10.2021.



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For Petitioner : Mr.S.Ramasamy

For Respondent : Mr.R.Ragavendran

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 25.10.2021, seeking to disburse the petitioner's earned leave salary of 80 days based on her representation. 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



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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 25.10.2021 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.

27.06.2022

Index : Yes / No

Internet : Yes / No

TM

To

1. The Director General of Police,
Crime Branch, C.I.D.,
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TM

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