



WP(MD)No.13525 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.13525 of 2022

Kamalam

... Petitioner

/vs./

- 1.The Additional Director,
Survey and Land Records,
Survey House,
Chepauk,
Chennai-600 005.
- 2.The Regional Deputy Director,
Survey and Land Records,
District Collectorate Campus, Madurai,
Madurai-625 020.
- 3.The Assistant Director,
Survey and Land Records,
District Collectorate Campus,
Sivagangai,
Sivagangai-630 562.
- 4.The District Treasury Officer,
District Collectorate Campus,
Sivagangai,
Sivagangai-630 562.



WP(MD)No.13525 of 2022

WEB COPY

5.The Accountant General,
Accountant General Office,
Teynampet,
261, Anna Salai,
Chennai-600 018.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, by directing the Respondents No.1 to 4 to submit the petitioner's revised family pension proposal to the Respondent No.5 as per the proceedings issued by the fifth respondent office vide office No:ENTT 53/1/29779, dated 11.10.2021 and direct the respondents to revise the petitioner's family pension based on her representation dated 26.10.2021 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanidhi
For R-1 to R-4 : Mr.A.Sivanupandian,
Government Advocate.
For R-5 : Mr.P.Gunasekaran,
Standing Counsel.

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.



WP(MD)No.13525 of 2022

WEB COPY

2. The petitioner herein had given a representation to the respondents on 10.03.2022 seeking for revision of 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 1 and 5 herein to consider the petitioner's representation dated 10.03.2022 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.



WP(MD)No.13525 of 2022

WEB COPY

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.

29.06.2022

Index : Yes / No

Internet : Yes / No

Lm/Nsr

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4/6



WP(MD)No.13525 of 2022

WEB COPY

4.The District Treasury Officer,
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WEB COPY



WP(MD)No.13525 of 2022

M.S.RAMESH, J.

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W.P.(MD)No.13525 of 2022

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