



WP(MD)No.13675 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.13675 of 2022

K.Saroja

... Petitioner

/vs./

1.The Accountant General (A & E),
Accountant General Office,
Teynampet,
Chennai.

2.The Treasury Officer,
Pudukkottai.

3.The Assistant Executive Engineer,
Agree Engineer,
Aranthangi,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to release the revised pension benefits to the petitioner as per the proceedings issued by the first respondent in his proceedings in No.P07/1/10723305/ADK, dated 28.02.2020 with interest at 18 percent per annum.



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For Petitioner : Mr.N.Anandkumar
For R-1 : Mrs.R.Mahalakshmi
Standing Counsel
For R-2 & R-3 : Mrs.D.Farjana Ghoushia
Special 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 third respondent on 14.02.2020 seeking to release the revised pension benefits to the petitioner as per the proceedings issued by the first respondent in his proceedings in No.P07/1/10723305/ADK, dated 28.02.2020 with interest at 18 percent per annum. 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



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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 to consider the petitioner's representation dated 14.02.2020 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.

30.06.2022

Index : Yes / No
Internet : Yes / No
btr/TM



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M.S.RAMESH, J.

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Order made in
W.P.(MD)No.13675 of 2022

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