



WP(MD)No.15647 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.07.2022**

CORAM:

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

W.P.(MD)No.15647 of 2022

Poomayil

... Petitioner

/vs./

- 1.The District Collector,
The District Collector's Office,
Ramanathapuram.
- 2.The Treasury Officer,
Treasury Office, Ramanathapuram.
- 3.The Employees Provident Fund Officer,
No.1, Pavasiyanithi Bhavan,
Lady Doak College Road,
Narimedu, Madurai 625 002.
- 4.The Manager / Branch Manager,
Aavin Milk Corporation,
Opp. Government Hospital,
Nadar Street, Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 3rd and 4th respondents to consider the petitioner's representation dated 24.06.2022 and consequentially direct the 3rd



WP(MD)No.15647 of 2022

respondent to disburse the family pension into the petitioner's account with pending arrears from 2019 to till date.

For Petitioner : Mr.V.Muthumani

For Respondents : Mr.M.Siddharthan

Additional Government Pleader (For R1 to R3)

Mr.Prabhu

Standing Counsel (For R4)

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 24.06.2022 seeking for disbursement of the family pension in the petitioner's account, together with pending arrears from 2019 to till date. 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



WP(MD)No.15647 of 2022

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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 respondents herein to consider the petitioner's representation dated 24.06.2022, 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.

19.07.2022

Index : Yes / No

Internet : Yes / No

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WP(MD)No.15647 of 2022

M.S.RAMESH, J.

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Order made in
W.P.(MD) No.15647 of 2022

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