



WP(MD)No.15845 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.07.2022**

CORAM:

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

W.P.(MD)No.15845 of 2022

S.Radhakrishnan

... Petitioner

/vs./

1.The Principal Secretary to Government,
Revenue and Disaster Management Department,
Secretariat,
Chennai – 600 009.

2.The Additional Chief Secretary / Commissioner of Revenue Administration,
Revenue Administration,
Ezhilagam,
Chepauk,
Chennai – 600 005.

3.The District Collector,
Sivagangai District,
Sivagangai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent i.e., the Principal Secretary to Government, Revenue and Disaster Management Department, Chennai to pass appropriated orders regarding sanction of minimum pension to the petitioner as per his representation dated 03.03.2018 and reply given by the second respondent i.e., the Additional Chief Secretary / Commissioner of



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Revenue Administration, Chennai in his Memo No. Ser5(4) / 23612 / 2021 dated 20.07.2021 and as per G.O.(Perm)No.148 Revenue Department dated 20.04.2011, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : 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 respondents on 03.03.2018 seeking for sanction of minimum pension to the petitioner. 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-



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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 first respondent herein to consider the petitioner's representation dated 03.03.2018 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. 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.

21.07.2022

Index : Yes / No

Internet : Yes / No

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M.S.RAMESH, J.

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To:

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Revenue and Disaster Management Department,
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Chennai – 600 009.
- 2.The Additional Chief Secretary / Commissioner of Revenue Administration,
Revenue Administration,
Ezhilagam, Chepauk,
Chennai – 600 005.
- 3.The District Collector,
Sivagangai District,
Sivagangai.

Order made in
W.P.(MD)No.15845 of 2022

Dated:
21.07.2022