



WP(MD)No.15999 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.07.2022**

CORAM:

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

W.P.(MD)No.15999 of 2022

T.Indra

... Petitioner

/vs./

- 1.The Commissioner,
Madurai Municipal Corporation,
Anna Maligai,
Madurai-625 002.
- 2.The Assistant Commissioner [KA] [PO],
Madurai Municipal Corporation,
Anna Maligai,
Madurai-625 002.
- 3.The Account Officer [P&T],
Madurai Municipal Corporation,
Anna Maligai,
Madurai-625 002.
- 4.The Secretary,
Madurai Corporation Employees Co-operative
Thrift and Credit Society Limited [A 854],
39, Vella Pillaiyarkoil Street,
S.S.Colony,
Madurai-625 016.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to consider the representation of the petitioner, dated 09.06.2022, for disbursement of sum of Rs. 54,902/- sanctioned already and sanction a sum of Rs.12,000/- being amount recovered from the salary of the petitioner's deceased husband with interest and directing society to settle dues.

For Petitioner : Mr.A.Jonh Vincent

For R-1 to R-3 : Mr.K.K.Kannan,
Standing Counsel

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 09.06.2022 seeking for disbursement of sum of Rs.54,902/- sanctioned already and sanction a sum of Rs.12,000/- being amount recovered from the salary of the petitioner's deceased husband with interest and directing society to settle dues. Since the said representation was not considered, the present Writ Petition has



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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 first respondent herein to consider the petitioner's representation dated 09.06.2022 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.



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5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

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Index : Yes / No
Internet : Yes / No
btr/lm

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M.S.RAMESH, J.

btr/lm

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