



W.P.(MD).No.16075 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.16075 of 2022

R.Santha

... Petitioner

Vs.

1.The Provident Fund Officer,
Employee's Provident Fund Regional Office,
37, Royapettah High Road,
Opposite Hotel Swagath,
Azad Nagar,
Royapettath,
Chennai.

2.The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.

3.The District Educational Officer,
Tirunelveli,
Tirunelveli District.

4.The Chief Educational Officer,
Nagercoil,
Kanyakumari District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to disburse provident fund payable to the petitioner from 02.11.1987 to 14.08.2001



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along with interest at the rate of 18 % per annum by considering the representation of the petitioner dated 15.07.2021 within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh
For R-2 to R-4 : Mr.A.Kannan,
Additional 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 Block Educational Officer on 15.07.2021 seeking to disburse the provident fund payable to the petitioner from 02.11.1987 to 14.08.2001 along with interest and the same was forwarded to the respondents. 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,



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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 fourth respondent herein to consider the petitioner's representation, dated 15.07.2021, 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. There shall be no order as to costs.

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Index : Yes / No
Internet : Yes/ No
Lm/sji



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To

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M.S.RAMESH, J.

Lm/sji

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