



WP(MD)No.16586 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.07.2022**

CORAM:

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

W.P.(MD)No.16586 of 2022

Rajendran

... Petitioner

/vs./

- 1.The Director General of Police,
Dr.Radhakrishna Road,
Mylapore,
Chennai-600 004.
- 2.The Deputy Inspector General of Police,
Race Course Toad, Khaja Nagar,
Near SRM Hotel, Khajamalai,
Trichy-620 023.
- 3.The Superintendent of Police,
Karur,
Karur District.
- 4.The Accountant General,
Accountant General Office,
Teynampet,
261, Anna Salai,
Chennai-600 018.

... 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 Respondents 1 to 3 to submit revised pension proposal to the fourth respondent and direct the respondents to revise petitioner pension benefits by taking into account of his total service 26 years and 11 months in the police department based on his representation, dated 13.09.2021, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanithi
For R-1 to R-3 : Mr.G.Suriyananth
Additional Government Pleader
For R-4 : Mrs.Mahalakshmi
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 21.07.2022 seeking to revise the petitioner's pension benefits by taking into account of his total service 26 years and 11 months in the police department. Since the said representation was not considered, the present Writ Petition has been filed.



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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 and fourth respondents herein to consider the petitioner's representation dated 21.07.2022 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.



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28.07.2022

Index : Yes / No

Internet : Yes / No

btr

To

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M.S.RAMESH, J.

btr

Order made in
W.P.(MD)No.16586 of 2022

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