



WP(MD)No.16646 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.16646 of 2022

P.Veeramuthu

... Petitioner

/vs./

- 1.The Accounts Officer,
Office of the Principal Accountant General,
(Accounts & Entitlements),
Tamil Nadu,
No.361, Anna Salai,
Chennai-600 018.
- 2.The Commissioner of Treasuries and Accounts,
Panagal Building,
Dennis Road, Saidapet,
Chennai-600 015.
- 3.The Regional Joint Director of Treasuries & Accounts,
14, Jawahar Road,
Chinnachokkikulam,
Madurai-625 002.
- 4.The District Treasury Officer,
District Treasury Office,
Collectorate Campus,
C.B.Colony, Sivagangai,
Sivagangai District.



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5.The Assistant Treasury Officer,
Sub Treasury Office,
Devakottai,
Sivagangai District.

6.The Executive Engineer,
Public Works Department,
Ground Water Division,
Karaikudi,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to revise and disburse pension the petitioner's pension in PPO No.C324167/PW as per the VII Pay Commission with effect from 2017 and arrears of revised pension as per the representation of petitioner, dated 7.07.2022, within a reasonable time as may be fixed by this Court.

For Petitioner	:	Mr.B.Muruganandam
For R-1	:	Mr.P.Gunasekaran Standing Counsel
For R-2 to R-4	:	Mr.M.Siddharthan Additional Government Pleader



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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 07.07.2022 seeking to revise and disburse the pension of the petitioner in PPO No.C324167/PW as per the VII Pay Commission with effect from 2017 and arrears of revised pension. 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-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.



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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 07.07.2022 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.

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

28.07.2022

Index : Yes / No
Internet : Yes / No
btr



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M.S.RAMESH, J.

btr

Order made in
W.P.(MD)No.16646 of 2022

Dated:
28.07.2022