



W.P.(MD).No.16974 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.16974 of 2022

L.K.Muralitharan

... Petitioner

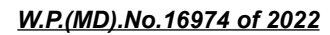
Vs.

Corporation of Madurai,
Represented by the Commissioner,
Tallakulam,
Madurai – 02.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to pay the gratuity and other retirement benefits with the interest to the petitioner from the date of his retirement on 31.05.2021 as per the G.O.Ms.No.173 dated 01.04.2004 and by considering the representation dated 18.07.2022 given by the petitioner in accordance with law, within the time stipulated by this Court.

For Petitioner	: Mr.R.Alagumani
For Respondent	: Mr.S.Vinayak, Standing Counsel.



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 respondent on 18.07.2022 seeking for payment of gratuity and other retirement benefits with the interest from the date of his retirement on 31.05.2021. 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 respondent 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.



W.P.(MD).No.16974 of 2022

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4. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation, dated 18.07.2022, on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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.

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

01.08.2022

Index : Yes / No
Internet : Yes/ No
Lm/btr

To

The Commissioner,
Corporation of Madurai,
Tallakulam,
Madurai – 02.

3/4



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W.P.(MD).No.16974 of 2022

M.S.RAMESH, J.

Lm/btr

W.P.(MD).No.16974 of 2022

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