



WP(MD)No.17206 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.08.2022**

CORAM:

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

W.P.(MD)No.17206 of 2022

V.Sankari

... Petitioner

/vs./

1.The Registrar,
Manonmanium Sundaranar University,
Abishekapatti,
Tirunelveli District-627 012.

2.The Assistant Director,
Local Fund Audit Department,
Corporation Commercial Complex,
SN High Road, Tirunelveli-627 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to release the retirement benefits of the petitioner with interest @ 12 percent till the date of disbursement by considering petitioner's representation, dated 17.04.2021 and 02.07.2022.

For Petitioner : Mr.I.Robert Chandrakumar

For R-1 : Mrs.Jasima Yasmin,
for M/s.Ajmal Associates,
Standing Counsel



WP(MD)No.17206 of 2022

WEB COPY

For R-2

: Mrs.D.Farjana Ghoshia
Special 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 first respondent on 01.02.2021 seeking to disburse her retirement benefits. 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.



WP(MD)No.17206 of 2022

WEB COPY

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 01.02.2021 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.

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

03.08.2022

Index : Yes / No
Internet : Yes / No
btr



WP(MD)No.17206 of 2022

WEB COPY

To

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M.S.RAMESH, J.

btr

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