



W.P.(MD).No.18717 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.18717 of 2022

1.Minor.V.Vishnusriram

2.Minor V.Vamsi Krishnaa

Represented by their mother and
Natural guardian,
Jeyalakshmi

... Petitioners

Vs.

1.The Managing Director,
Indian Overseas Bank,
Annasalai,
Chennai – 600 002.

2.The Assistant / Deputy Manager,
Indian Overseas Bank (Pension Cell),
Central Office,
Chennai – 600 002.

3.The Chief Manager,
Indian Overseas Bank (Pension Cell),
Central Office,
Chennai – 600 002.

4.V.Lakshmi Latha

...Respondents



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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 the proportionate family pension to the petitioners from the date of death of their father within the time frame fixed by this Court.

For Petitioners : Mr.RJ.Karthick
For R-1 to R-3 : Mr.N.Dilip Kumar

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioners herein had given a representation to the respondents 1 to 3 on 03.06.2020 seeking for disbursement of the proportionate family pension to the petitioners from the date of death of their father. 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



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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 respondents 1 to 3 herein to consider the petitioners' representation, dated 03.06.2020, 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 petitioners 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.

18.08.2022

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



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To

WEB COPY

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M.S.RAMESH, J.

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