



WP(MD)No.18596 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **30.08.2022**

CORAM:

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

**W.P.(MD)No.18596 of 2022**

D.Sahayaraj

... Petitioner

/vs./

1.The Director of Government Examinations,  
College Road,  
DPI Complex,  
Chennai – 600 006.

2.The Assistant Director of Government  
Examinations,  
Collectorate Complex,  
Ramanathapuram – 623 503.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents i.e., the Director of Government Examinations, Chennai and the Assistant Director of Government Examinations, Ramanathapuram for disbursement of Encashment of Leave Salary to the petitioner within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.A.Kannan,  
Additional Government Pleader



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## ORDER

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The petitioner herein had given a representation to the second respondent on 06.07.2022, seeking for disbursement of Encashment of Leave Salary. Since the said representation was not considered, the present writ petition has been filed.

2. 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.

3. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 06.07.2022, on its own merits and pass appropriate orders in accordance



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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.

4. With the above direction, the Writ Petition stands disposed of.

No costs.

**30.08.2022**

vsm

Index : Yes / No

Internet : Yes/No

To

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**M.S.RAMESH, J.**

vsm

Order made in  
**W.P.(MD) No.18596 of 2022**

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