



W.P.(MD)No.18607 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.18607 of 2022

R.Ragunathan

... Petitioner

Vs.

1.The Principal Secretary to Revenue Department,
Secretariat,
Fort St.George,
Chennai.

2.The Chief Secretary cum Revenue Department Commissioner,
Ezhilagam, Sepakkam,
Chennai.

3.The District Collector,
Thoothukudi District,
Thoothukudi.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to dispense all eligible retirement benefits and death benefits and emoluments of the petitioner's deceased wife to the petitioner by considering the representation dated 30.06.2022 within a time frame.



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For Petitioner : Mr.R.Babu Jaganath
For Respondents : Mr.M.Siddharthan
Additional 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 respondents on 30.06.2022 to disburse all eligible retirement benefits and death benefits and emoluments of his deceased wife to him. 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



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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 third respondent herein to consider the petitioner's representation dated 30.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight 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.

No costs.

24.08.2022

Index : Yes / No
Speaking Order : Yes / No
ssb



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M.S.RAMESH, J.

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