



WP(MD)No.18941 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.08.2022**

CORAM:

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

W.P.(MD)No.18941 of 2022

D.Raju

... Petitioner

/vs./

1.The Vice Chancellor,
Manonmaniam Sundaranar University,
Abishekapatti, Tirunelveli 627 012.
Tirunelveli District.

2.The Registrar,
The Manonmaniam Sundaranar University,
Abhishekapatti, Tirunelveli 627 012.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents 1 and 2 to disburse the pension of the petitioner and all other retirement benefits by considering the representation dated 25.07.2021 and consequentially the proposal sent by the petitioner on 11.03.2022 along with interest within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Ms.N.Sumitha
for M/s.Ajmal Associates



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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 second respondent on 08.07.2022 seeking to disburse the pension and all other 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.



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4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 08.07.2022 on its own merits and pass appropriate orders in accordance with law, within a period of six (6) 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.

22.08.2022

Index : Yes / No

Internet : Yes / No

Rmk

To

1. The Vice Chancellor,
Manonmaniam Sundaranar University,
Abishekapatti, Tirunelveli 627 012.
Tirunelveli District.

2. The Registrar,
The Manonmaniam Sundaranar University,
Abhishekapatti, Tirunelveli 627 012.

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M.S.RAMESH, J.

Rmk

Order made in
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Dated:
22.08.2022