



WP(MD)No.19113 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **23.08.2022**

CORAM:

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

W.P.(MD)No.19113 of 2022

S.A.Kamala

... Petitioner

/vs./

1.The Commissioner,
Social Welfare Officer,
Commissioner Office,
No.1, Panagal Maligai,
2nd Floor, Jenus Road,
Saidapet, Chennai 600 015.

2.The District Collector,
Office of the District Collector,
Madurai District, Madurai.

3.The District Social Welfare Officer,
Madurai, Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to disburse petitioner's arrears of salary, terminal benefits and pension for period from 01.05.2011 till 30.04.2016 by revising the pension amount on the basis of her last salary drawn by considering her representation dated 08.07.2022 within the time stipulated by this Court.



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For Petitioner : Mr.A.R.Kannappan
For Respondents : Mr.G.Suryaananth
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 08.07.2022 seeking to disburse her arrears of salary, terminal benefits and pension for period from 01.05.2011 till 30.04.2016 by revising the pension amount on the basis of her last salary drawn. 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 first and second respondents 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 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 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.

23.08.2022

Index : Yes / No
Internet : Yes / No
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M.S.RAMESH, J.

Rmk

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Order made in
W.P.(MD)No.19113 of 2022

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23.08.2022