



WP(MD)No.19346 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.08.2022**

CORAM:

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

W.P.(MD)No.19346 of 2022

V.Muthuvel

... Petitioner

/vs./

1.The Secretary to Government,
Municipal Administration & Water Supply Department,
Government of Tamil Nadu,
Fort St.George,
Chennai – 600 009.

2.The Director of Town Panchayats,
Office of the Director of Town Panchayats,
Kuralagam,
Chennai - 600 108.

3.The Executive Officer,
Ayakudi Town Panchayat,
Ayakudi 624 613
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to consider the petitioner representation dated 08.08.2020 for grant regular pension by counting 50 percentage of his past services from 16.12.1986 to 22.06.2006 together with



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arrears of pension and all other monetary benefits accrued to the service of petitioner.

For Petitioner : Mr.K.Muthu Ganesa Pandian

For Respondents : Mr.G.Suriyanath

Additional Government Pleader (for R1)

Mr.Vairam Santhosh

Additional Government Pleader (for R2 & R3)

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 08.08.2020 seeking for grant of regular pension by counting 50 percentage of his past services from 16.12.1986 to 22.06.2006 together with arrears of pension and all other monetary benefits accrued to the service of petitioner. Since the said representation was not considered, the present writ petition has been filed.



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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.

4.In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 08.08.2020 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 petitioner and that it is open to the concerned respondent to consider the same on its own merits.



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5.With the above direction, the Writ Petition stands disposed of. No costs.

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

Sm

Order made in
W.P.(MD)No.19346 of 2022

Dated:
23.08.2022