



W.P.(MD) No.19549 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.19549 of 2022

J.S.D.Prasana

... Petitioner

Vs.

**1.The Commissioner of Revenue Administrator,
Ezhilagam,
Chepauk,
Chennai – 600 005.**

**2.The District Backward Classes and Minority Welfare Officer,
Collectorate Complex,
Virudhunagar District,
Virudhunagar.**

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the second respondent i.e. the District Backward Classes and Minority Welfare Officer, Virudhunagar to furnish the additional particulars called for by the Commissioner of Revenue Administration, Chennai in his Na.Ka.Va.Ni.3(5) / 37692 / 2019, dated 13.06.2022 based on the particulars furnished by the petitioner even on



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14.07.2022 for sending Family Pension proposals to the Accountant General Chennai by the Commissioner of Revenue Administration, Chennai within a specified time frame.

For Petitioner : Mr.S.Viswalingam
For Respondents : Mr.G.Suriyananth
Additional Government Pleader

ORDER

The present writ petition has been filed seeking for a writ of mandamus directing the second respondent i.e. the District Backward Classes and Minority Welfare Officer, Virudhunagar to furnish the additional particulars called for by the Commissioner of Revenue Administration Chennai in his Na.Ka.Va.Ni.3(5) / 37692 / 2019, dated 13.06.2022 based on the particulars furnished by the petitioner even on 14.07.2022 for sending Family Pension proposals to the Accountant General Chennai by the Commissioner of Revenue Administration, Chennai, within a specified time frame.

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



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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 petitioner to give a fresh representation to the second respondent, seeking to furnish the additional particulars called for by the Commissioner of Revenue Administration, Chennai, in his Na.Ka.Va.Ni.3(5) / 37692 / 2019, dated 13.06.2022, based on the particulars furnished by the petitioner, on 14.07.2022, for sending Family Pension proposals to the Accountant General Chennai by the Commissioner of Revenue Administration, Chennai and on receipt of such representation, the second respondent herein shall consider the same, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of such representation. 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



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

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Index : Yes / No
Speaking Order/ Non Speaking Order

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To

- 1.The Commissioner of Revenue Administrator,
Ezhilagam,
Chepauk,
Chennai – 600 005.
- 2.The District Backward Classes and Minority Welfare Officer,
Collectorate Complex,
Virudhunagar District,
Virudhunagar.



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M.S.RAMESH,J.

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