



WP(MD)No.19646 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.08.2022**

CORAM:

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

W.P.(MD)No.19646 of 2022

Sasikala

... Petitioner

/vs./

- 1.The Director,
Collegiate Education Department,
EVK Sampath Building,
9th Floor, College Road,
Chennai.
- 2.The Joint Director,
Collegiate Education Department,
Madurai Region, Palam Station Road,
Sellur, Madurai.
- 3.The Secretary,
Ayya Nadar Janaki Ammal College,
Sivakasi,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 08.07.2022 and to make the payment of arrears of family pension and gratuity for the period from 11.01.1996 to 23.01.2019 together with interest within the time stipulated by this Court.



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For Petitioner : Mr.Porkodi Karnan
for M/s.Polax Legal Solutions
For Respondents : Mr.A.Kannan
Additional Government Pleader (for R1 & R2)

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 for payment of arrears of family pension and gratuity for the period from 11.01.1996 to 23.01.2019, together with interest. 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



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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.

4.In the light of the above observations, there shall be a direction to the respondents 2 and 3 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 twelve (12) 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.

25.08.2022

Index : Yes / No

Internet : Yes / No

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M.S.RAMESH, J.

Sm

Order made in
W.P.(MD)No.19646 of 2022

Dated:
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