



WP(MD)No.19958 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.08.2022**

CORAM:

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

W.P.(MD)No.19958 of 2022

M.Vijayalakshmi

... Petitioner

/vs./

1.The District Collector,  
District Collector's Office,  
Trichy-1,  
Trichy District.

2.The District Development Officer,  
District Development Office,  
Trichy-1,  
Trichy District.

3.The Child Welfare Development Officer,  
Child Welfare Development Office,  
Thuraiyur,  
Trichy District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent herein to disburse the subsistence allowance to petitioner for the period from 06.08.2018 to 25.02.2022, in the light of her representation, dated 06.06.2022, within a



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stipulated period which may be fixed by this Court.

For Petitioner : Mr.R.Sundar  
For Respondents : Mrs.D.Farjana Ghoushia  
Special 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 06.06.2022 seeking to disburse the subsistence allowance for the period from 06.08.2018 to 25.02.2022. 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



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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 06.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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. There shall be no order as to costs.

**26.08.2022**

Index : Yes / No  
Internet : Yes / No  
btr/sm



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**M.S.RAMESH, J.**



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