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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.08.2022**

CORAM:

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

W.P.(MD)No.20222 of 2022

S.Gunasekaran ... Petitioner

/vs./

1.The State of Tamilnadu,
Represented by its Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai-600 009.

2.The Director,
Rural Development and Panchayat Raj,
Panagal Maligai,
Saidapet, Chennai.

3.The District Collector,
Thanjavur District.

4.The Personal Assistant to Collector (Development),
Thanjavur District Collectorate,
Thanjavur District. ... Respondents

PRAYER**:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation, dated 05.07.2022 and grant all the regular old Pension

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Scheme of GPF benefits within a time limit to be fixed by this Court.

For Petitioner : M/s.M.Vivek

For Respondents : Mr.A.Sivanupandian
Government Advocate

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 1 to 3 on 05.07.2022 seeking to grant all the regular old Pension Scheme of GPF benefits. 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

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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 1 to 3 herein to consider the petitioner's representation dated 05.07.2022 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. There shall be no order as to costs.

30.08.2022

Index : Yes / No
Internet : Yes / No
btr/cp

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To

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M.S.RAMESH, J.

btr/cp

Order made in
W.P.(MD)No.20222 of 2022

Dated:
30.08.2022

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