



W.P.No.4268 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.4268 of 2023

N.R.Krishna Mohan

...Petitioner

Vs

1.The Commissioner,
Employees Provident Fund Organization,
Regional Office,
R-40A T.N.H.B. Office-cum-
Shopping Complex,
Mogappair East, Ambattur,
Chennai – 600 037.

2.The Assistant Commissioner,
Employees Provident Fund Organization,
No.81, Madurai Road, Jeeva Nagar,
Tiruchirapalli – 620 008.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 15.09.2022 seeking rectification of wrong entries in the petitioner's pension payment order.



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For Petitioner : Mr.P.Mani

For Respondents : Mr.P.K.Paneerselvam

ORDER

With the consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given a representation to the first respondent herein on 15.09.2022 seeking for a direction to rectify the wrong entries made in his Pension Payment Order. 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



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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 15.09.2022 on its own merits and pass appropriate orders in accordance with law, within a period of six 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 respondents to consider the same on its own merits.

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

21.02.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

- 1.The Commissioner,
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