



WEB COPY



W.P.No.4006 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.4006 of 2023

V.S.Baghyalakshmi

...Petitioner

-Vs-

The Director,
Indian Institute of Technology,
Chennai 600 036.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to dispose of the representation made by the petitioner dated 25.10.2022 and as a consequential relief directing the respondent to sanction the family pension to the petitioner.

For Petitioner : Mr.T.Ramachandran

For Respondent : Mr.Menon

* * * * *

ORDER

Heard Mr.T.Ramachandran, learned counsel for the petitioner and Mr.Menon, learned counsel for the respondent. With the consent of both sides, the main writ petition has been taken up for final disposal.



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2. The petitioner herein has given a representation to the respondent on 25.10.2022, seeking to sanction accumulated family pension from 2019 to 2023.

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 respondent 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 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 respondent to consider the representation of the petitioner dated 25.10.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three months 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 respondent to consider the same on its own merits.



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5. With the above direction, the writ petition is disposed of. No costs.

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Index: Yes/No
Internet: Yes/No
sra

To

The Director,
Indian Institute of Technology,
Chennai 600 036.



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M.S.RAMESH,J.

(sra)

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