



W.P.No.4730 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.4730 of 2023

1.Minor Anjana Vijay
2.Minor Dhanya Vijay

...Petitioners

Vs

The Regional PF Commissioner-II & Recovery Officer,
Employees Provident Fund Organisation,
Regional Office,
Dr.Balasundaram Road,
Coimbatore-641 018

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to release the attachment of the petitioners property as per representation of the petitioners dated 07.12.2022.

For Petitioners : Mr.R.Gokulakrishnan

For Respondent : Mr.R.Vishnu

ORDER

The petitioners herein had given a representation to the



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respondent on 07.12.2022 seeking for a direction to release the attachment of the petitioners' property. Since the representation was not considered, the present writ petition has been filed.

2. 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 extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

3. In the light of the above observations, there shall be a direction to the t respondent herein to consider the petitioners representation dated 0'7.12.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four 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



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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.

4. With the above direction, the Writ Petition stands disposed of.

No costs.

22.02.2023

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Index: Yes/No

Speaking order/Non-speaking order

sr

To

The Regional PF Commissioner-II & Recovery Officer,
Employees Provident Fund Organisation,
Regional Office,
Dr.Balasundaram Road,
Coimbatore-641 018



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M.S.RAMESH,J.

SR

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