



W.P.No.4727 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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Dhanapal

...Petitioner

Vs

- 1.The State of Tamil Nadu,
Rep. by its Chief Secretary to Government,
Government of Tamil Nadu,
Fort St. George, Chennai – 600 009.
- 2.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue Department, Government of Tamil Nadu,
Fort St. George, Chennai – 600 009.
- 3.The District Collector,
Office of the District Collector,
Ariyalur District, Ariyalur.
- 4.The Tahsildar,
Office of the Tahsildar,
Jayangondam, Ariyalur District.
- 5.The Accountant General [Accounts & Entitlements],
Tamil Nadu, 361, Anna Salai,
Teynampet, Chennai – 600 018.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to dispose of the petitioner's representation dated 13.07.2022 with regard to petitioner's claim of revised Pension proposal.

For Petitioner : Mr.A.Murugan

For Respondents : M/s.E.Indhumathi
Government Advocate

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 representations to the respondents on 14.02.2022, 08.07.2022 and 13.07.2022, seeking for revised pension proposal. Since the said representations were 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



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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 second respondent herein to consider the petitioner's representations dated 14.02.2022, 08.07.2022 and 13.07.2022 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 concerned respondent to consider the same on its own merits.

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

22.02.2023

Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

hvk

To

- 1.The Chief Secretary to Government,
Fort St. George, Chennai – 600 009.
- 2.The Secretary to Government,
Revenue Department,
Fort St. George, Chennai – 600 009.
- 3.The District Collector,
Office of the District Collector,
Ariyalur District, Ariyalur.
- 4.The Tahsildar,
Office of the Tahsildar,
Jayangondam, Ariyalur District.
- 5.The Accountant General
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