



W.P.No.4967 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.4967 of 2022

S.N.Deepa

...Petitioner

Vs

1. State of Tamil Nadu

Rep by its Secretary to Government,
Department of Higher Education,
Fort St.George, Chennai-600 009.

2. The Registrar,

Anna University,
Guindy, Chennai-25.

3. The Director,

Centre for Constituent Colleges
Anna University, Guindy,
Chennai-25.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the Contributory Pension amount to the petitioner for the service rendered by her in the 2nd respondent University (Anna University Regional Campus, Coimbatore since merged with the 2nd respondent) for the period 11.08.2008 to 21.01.2021 payable to the petitioner with an



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interest of 12% per annum from the date of the petitioner being relieved from the services of the respondent University i.e., 21.01.2021 till the date of payment.

For Petitioner : Ms.N.Kavitha Rameshwar

For Respondents : Mr.S.Prabakaran
Government Advocate
For R.1
M/s Row and Reddy
For R.2 and R.3

ORDER

Heard Ms.N.Kavitha Rameshwar, learned counsel for the petitioner and Mr.P.Balathandayutham, learned Special Government Pleader for the first respondent and learned counsel for the respondents 2 and 3.

2. The petitioner herein has given a representation to the respondents on 29.01.2022 seeking for a direction to disburse the Contributory Pension amount to the petitioner for the service rendered by her in the 2nd respondent University for the period 11.08.2008 to 21.01.2021 with interest. 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



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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.

4. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 29.01.2022 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, after giving opportunity to all the concerned parties. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioners and that it is open to the first respondent to consider the same on its own merits.

M.S.RAMESH,J.



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sr

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

No costs.

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Index:Yes/No

Speaking order/Non-speaking order
sr

To

1. The Secretary to Government,
State of Tamil Nadu,
Department of Higher Education,
Fort St.George, Chennai-600 009.
2. The Registrar,
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Guindy, Chennai-25.
3. The Director,
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