



W.P.No.4890 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.4890 of 2023

G.Manivannan

...Petitioner

Vs

1.Puducherry Slum Clearance Board,
Rep. by its Chairman,
No.106, Pallivasal Street,
Periyar Nagar, Savanapet,
Puducherry – 605 005.

2.The Chief Executive Officer,
Puducherry Slum Clearance Board,
No.106, Pallivasal Street,
Periyar Nagar, Savanapet,
Puducherry – 605 005.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider the representation of the petitioner dated 07.10.2022 and to relieve and consider enhancing the rate of subsistence allowance paid to the petitioner from 50% to 75%.



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For Petitioner : Mr.T.Saikrishnan

For Respondents : Dr.B.Ramaswamy
Additional Government Pleader
(Puducherry)

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 second respondent on 07.10.2022, seeking enhancement of subsistence allowance from 50% to 75%. 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 second respondent herein to consider the petitioner's representation dated 07.10.2022 on its own merits and pass appropriate orders in accordance with law, within a period of two 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 disposed of.
No costs.

22.02.2023

Index: Yes/No
Speaking order/Non-speaking order
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M.S.RAMESH,J.

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To

1.The Chairman,
Puducherry Slum Clearance Board,
No.106, Pallivasal Street,
Periyar Nagar, Savanapet,
Puducherry – 605 005.

2.The Chief Executive Officer,
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