



W.P.No.6270 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6270 of 2023

G.Kasi

...Petitioner

Vs

- 1.The Account General (A&E),
Office of the Account General,
No.361, Anna Salai,
Chennai – 600 018.
- 2.The District Collector,
Thiruvannamalai,
Thiruvannamalai District.
- 3.The Tahsildar,
Cheyyar Taluk,
Thiruvannamalai District.
- 4.The Assistant Treasury Officer,
Sub Treasury,
Cheyyar Taluk.
- 5.The Secretary,
Revenue Employees Co-op Thrift Society,
Kancheepuram Salai
[Sampoorna Gas Office Back side],
Vandavasi – 604 408.
Thiruvannamalai District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to disburse the petitioner's terminal benefits along with arrears of the pension payable to the petitioner commencing from 01.09.2012 till the date of realization, within a stipulated time with a penal interest at the rate of 18% per annum for the delay period within the stipulated time.

For Petitioner	: Mr.P.Paramasivadoss
For R1	: Mrs.Hema Muralikrishnan
For R2 to R5	: Mr.E.Sundaram
	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 11.06.2019 and 25.11.2019, seeking for a direction to disburse the terminal benefits along with arrears of pension to the petitioner. Since the said representations were not considered, the present writ petition has been filed.



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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 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 first respondent herein to consider the petitioner's representations dated 11.06.2019 and 25.11.2019 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 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.



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costs.

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

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Index: Yes/No

Speaking order/Non-speaking order
hvk

To

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M.S.RAMESH,J.

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