



W.P.No.5751 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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M.Palaniammal

...Petitioner

Vs

1.The State of Tamil Nadu
Rep. by the Secretary to Government.
Finance Department,
Fort St.George, Chennai - 9.

2.The Commissioner of
Treasuries and Accounts Department,
Panagal Maligai,
Saidapet, Chennai -15.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 16.12.2022 to regularize the petitioner's service on his completion of 10 years of service from the date of initial appointment on 01.04.1984 and consequently direct the respondents to pay pension and monetary benefits with all consequential benefits and arrears.



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For Petitioner : Mr.S.Easirani Narasimman

For Respondents : M/s.P.Vijaya Devi
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 a representation to the respondents on 16.12.2022, seeking for regularization of her services on completion of 10 years of service from the date of initial appointment on 01.04.1984 and to pay the pension and monetary benefits, together with all consequential benefits and arrears. 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



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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 representation dated 16.12.2022 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 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.

24.02.2023

Index: Yes/No
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M.S.RAMESH,J.

hvk

To

- 1.The Secretary to Government.
Finance Department,
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- 2.The Commissioner of
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Panagal Maligai,
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