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W.P.No.12150 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.12150 of 2023

Jaya

... Petitioner

Vs

1.The Accountant General (A&E),
Pensions,
Chennai – 600 018.

2.The Thasildar,
Pochampalli,
Krishnagiri District.

... 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 application for family pension submitted through the second respondent dated 16.07.2015 and 16.02.2023.

For Petitioner : Mr.K.Thiruvengadam

For Respondents : Mrs.J.Sreevidhya for R1

Mr.P.Baladhandayutham,
Special Government Pleader for R2



W.P.No.12150 of 2023

ORDER

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Heard Mr.K.Thiruvengadam, learned counsel for the petitioner, Mrs.J.Sreevidhya, learned counsel for the first respondent and Mr.P.Baladhandayutham, learned Special Government Pleader for the second respondent.

2.The petitioner herein had given a representation to the respondents on 16.02.2023 for family pension. 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 him 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 the Constitution of India and direct them to consider the same within a stipulated time.



W.P.No.12150 of 2023

4.In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 16.02.2023, on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5.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.

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

No costs.

12.06.2023

Index:Yes/No
Speaking order/Non-speaking order
vga

To
The Thasildar,
Pochampalli,
Krishnagiri District.



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W.P.No.12150 of 2023

M.S.RAMESH,J.

vga

W.P.No.12150 of 2023

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