



WEB COPY



W.P.No.16427 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.16427 of 2023

S.Ramesh

...Petitioner

Vs

1.The Registrar,
Anna University, Guindy,
Chennai – 600 032.

2.The Chairman,
Jeppiaar Educational Trust,
Old Mamallapuram Road [OMR],
Semmenchery, Rajiv Gandhi Salai,
Chennai – 600 119.

3.The Principal
Jeppiaar Engineering Collge,
Old Mamallapuram Road [OMR],
Semmenchery, Rajiv Gandhi Salai,
Chennai – 600 119.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd and 3rd respondents to settle the gratuity, due to the petitioner for the services rendered by him for more than 11 years from May 28, 2008 to September 26, 2019 forthwith together with interest for the delayed payment by considering the representation dated September 26, 2019 within a time frame to be fixed by this Court.

For Petitioner : Mr.A.Mohamed Ismail



W.P.No.16427 of 2023

ORDER

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Heard Mr.A.Mohamed Ismail, learned counsel appearing on behalf of the petitioner.

2. Since this Court is directing the first respondent to consider the petitioner's representation, notice to the respondents is dispensed with.

3. The petitioner herein had given a representation to the respondents seeking for settlement of gratuity. The said representation has not been considered till date and hence, the petitioner has preferred the present Writ Petition.

4. 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



W.P.No.16427 of 2023

extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 26.09.2019 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 made by the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of. No costs.

02.06.2023

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



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To

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W.P.No.16427 of 2023

M.S.RAMESH,J.

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W.P.No.16427 of 2023

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