



WEB COPY



W.P.No.17120 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17120 of 2023

Porulselvi

... Petitioner

Vs

1.The District Collector,
Nagapattinam District,
Nagapattinam.

2.The Block Development Officer,
Panchayat Union,
Vedaranyam Taluk,
Nagapattinam District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to grant pension and retirement benefits to the petitioner based on the representation of the petitioner dated 18.10.2020 within stipulated time may be fixed by this Court.

For Petitioner : Mr.R.Muruga Bharathi

For Respondents : Mr.P.Baladhandayutham,
Special Government Pleader for R1

Ms.E.Ranganayaki for R2

ORDER



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Heard Mr.R.Muruga Bharathi, learned counsel for the petitioner, Mr.P.Baladhandayutham, learned Special Government Pleader for the first respondent and Ms.E.Ranganayaki, learned counsel for the second respondent.

2.The petitioner herein had given a representation to the respondents on 18.10.2020 for pensionary retirement benefits. 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.



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4. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 18.10.2020, 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.

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.

09.06.2023

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



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M.S.RAMESH,J.

vga

To

- 1.The District Collector,
Nagapattinam District,
Nagapattinam.
- 2.The Block Development Officer,
Panchayat Union,
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Nagapattinam District.

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