



W.P.No.18195 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18195 of 2023 &
WMP.No.17393 of 2023

Dr.V.Sathiyaraj

... Petitioner

Vs.

- 1.The Director, Veterinary &
Animal Husbandry, No.571,
Anna Salai, Chennai-35.
- 2.The Director, Government
Data Centre, Kotturpuram,
Chennai.
- 3.The Assistant Director,
Veterinary & Animal Husbandry
Department, Veterinary Hospital
Campus, Near Collectorate,
Salem-1.
- 4.Treasuries and Accounts
Department, District Treasury,
Collector Office, Salem-1.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the respondents herein not to
recover the Government contribution to the petitioner's CPS Account No.



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7173219 and with a consequential direction directing the respondents to disburse the entire accumulated amount in the petitioner's CPS Account No. 7173219 as final settlement within the time frame fixed by this Court.

For Petitioner : Ms.D.Kamatchi

For Respondents 1 to 3 : Mr.P.Baladhandayutham,
Special Government Pleader

ORDER

In view of the limited nature of the order this Court proposes to pass, this Writ Petition is taken up for final disposal at the stage of admission itself without ordering notice to the fourth respondent.

2. The petitioner herein seeks a direction to the respondents not to recover the Government contribution to the petitioner's CPS Account No. 7173219 and consequently to direct the respondents to disburse the entire accumulated amount in the petitioner's CPS Account No.7173219 as final settlement. In this regard, the petitioner had given a representation dated 02.05.2023 to respondents 1, 2 and 4. Since the said representation has not yet been considered, the petitioner is before this Court.

3. It is needless to point out that whenever a representation of this



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nature is made to Statutory Authorities, there is a duty cast upon them 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 Authorities 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 respondents 1, 2 and 4 to consider the petitioner's representation dated 02.05.2023 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 disposed of. No



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costs. Consequently, the connected WMP is closed.

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Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

To

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M.S.RAMESH,J.

RS/HVK

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