



WEB COPY



W.P.No.19109 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19109 of 2023

K.M Boopathi Advocate

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Collector,
Vellore District,
Collectorate Office, Sathuvachari,
Vellore District.

2.The Thasildhar,
Gudiyatham Taluk Office,
Gudiyatham, Vellore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 14.12.2022 to sanction and pay the professional fees of Rs.14,10,000/- as claimed by the petitioner in his fee bill dated 04.04.2022 within a stipulated time as fixed by this Court.

For Petitioner : Mr.K.A. Ravindran

For Respondents : Mr.S. Prabhakaran,
Government Advocate



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ORDER

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With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein has given representation to the respondents on 14.12.2022, seeking for disbursement of his professional fees of Rs.14,10,000/- as claimed by him in his fee bill dated 04.04.2022. 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 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.



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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 14.12.2022, on its own merits and pass appropriate orders in accordance with law, within a period of six (6) 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 costs.

28.06.2023

Index: Yes/No

Speaking/Non-speaking order

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To

1. The Collector,
State of Tamil Nadu,
Vellore District,
Collectorate Office, Sathuvachari,
Vellore District.

2. The Thasildhar,
Gudiyatham Taluk Office,
Gudiyatham, Vellore District.



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M.S.RAMESH,J.

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