



W.P.No.18649 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18649 of 2023

V.Subramaniyan

...Petitioner

Vs

1.The Director of Rural Development
and Panchayat Raj,
Directorate of Rural Development
and Panchayat Raj,
Panagal Maligai, Saidapet,
Chennai - 15.

2.The District Collector,
Collectorate,
Ariyalur, Ariyalur District.

3.The Block Development Officer,
Sendurai Panchayat Union,
Sendurai, Ariyalur District - 621 714.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the amount of contributory pension amount which was deducted from the petitioner's salary from 2007 to 2015 and also pay interest at the rate of 12% per annum to the petitioner.



W.P.No.18649 of 2023

WEB COPY

For Petitioner : Mr.K.Arumugam
For R1 & R2 : Mr.S.Rajesh,
Government Advocate
For R3 : Mr.Arasakumar,
Government Advocate

ORDER

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

2. The petitioner herein had given a representation to the first respondent on 27.04.2023, seeking for settlement of the contributory pension amount deducted from his salary, together with interest. The said representation has not been considered till date. Hence, the petitioner has approached this Court by way of this Writ Petition.

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 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,



W.P.No.18649 of 2023

WEB COPY

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 the 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 the first respondent herein to consider the petitioner's representation dated 27.04.2023, 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. 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.

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

No costs.

26.06.2023

Index: Yes/No

Speaking order/Non-speaking order

hvk



WEB COPY



W.P.No.18649 of 2023

M.S.RAMESH,J.

hvk

To

- 1.The Director of Rural Development
and Panchayat Raj,
Directorate of Rural Development
and Panchayat Raj,
Panagal Maligai, Saidapet,
Chennai - 15.
- 2.The District Collector,
Collectorate,
Ariyalur, Ariyalur District.
- 3.The Block Development Officer,
Sendurai Panchayat Union,
Sendurai, Ariyalur District - 621 714.

W.P.No.18649 of 2023

26.06.2023