



W.P.No.18511 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18511 of 2023

K.Thiagarajan

...Petitioner

Vs.

1.The Accountant General
(A&E) (Pension),
Tamil Nadu,
No.361, Anna Salai,
Chennai - 600 018.

2.The Commissioner,
Treasuries and Accounts,
Veterinary Hospital Campus,
Nandanam, Anna Salai,
Chennai - 600 035.

3.The Treasury Officer,
District Treasury Office,
Thanjavur.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st and 2nd respondents to sanction and direct the 3rd respondent to disburse pension arrears for the period from 01.02.2006 to 31.12.2006 along with 12%



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interest till the disbursement to the petitioner, based on the representation dated 22.04.2019 and reminder dated 15.04.2023.

For Petitioner : Mr.P.Kannan Kumar
For R1 : Ms.Hema Muralikrishnan
For R2 & R3 : Mr.P.Sanjay Gandhi,
Government Advocate

ORDER

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

2. The petitioner had given a representation to the respondents on 22.04.2019 seeking for disbursement of his pension arrears for the period between 01.02.2006 and 31.12.2006. He has also sent a reminder in this regard on 15.04.2023. Since the 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



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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 him to consider the same within a stipulated time.

4. In the light of the above observations, the respondents herein is directed to consider the petitioner's representation dated 22.04.2019, 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 of the petitioner and that it is open to the respondents to consider the same on its own merits.

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

No costs.

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Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

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