



WEB COPY



W.P.No.20176 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.20176 of 2022

1.M.Ramalingam

2.P.Anusuya

3.V.Anusuya

4.K.Balaraman

5.K.Ellappan

6.K.Gopalakrishnan

7.P.Kanniappan

8.M.Kasiyammal

9.A.Prabhu

10.K.Santha

11.M.Sriramulu

12.S.N.Thanigaimalai

13.K.Varadharaj

...Petitioners

Vs.

1.The State of Tamil Nadu
rep. by the Principal Secretary
to the Government,
Social Welfare & Nutritiuous Meal
Department,
Fort St. George, Secretariat,
Chennai-600 009.



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2.The Director,
Social Welfare & Nutritious Meal Department,
Ezhilagam, Chempauk,
Chennai-600 005.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 22.06.2022, regarding increase of Special Pension, within a time frame as fixed by this Court.

For Petitioner : Mr. M.Padmanaban
For Respondents : Mr.P.Baladhandayutham, SGP

ORDER

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

2. The petitioners herein had given a representation to the respondents on 22.06.2022, seeking for increase of Special Pension. 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



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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.

4. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioners' representation dated 22.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three months 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 petitioners 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. There shall be no order as to costs.

21.06.2023

Index:Yes/No
Order: Speaking/Non-speaking
Neutral Citation : Yes/No

DP



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M.S.RAMESH,J.

DP

To

- 1.The Principal Secretary
to the Government,
State of Tamil Nadu,
Social Welfare & Nutritiuos Meal
Department,
Fort St. George, Secretariat,
Chennai-600 009.
- 2.The Director,
Social Welfare & Nutritious Meal Department,
Ezhilagam, Chepauk,
Chennai-600 005.

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