



WEB COPY



W.P.No.29657 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.29657 of 2022

P.Natarajan

...Petitioner

Vs.

1.The Secretary to Government,
Finance Department,
St. George Fort, Secretariat,
Chennai-600 009.

2.The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District.

3.Pension Pay Officer,
Department of Treasuries and Accounts,
Amma Complex, Ground Floor,
Veterinary Hospital Campus,
No.571, Anna Salai, Nandanam,
Chennai-600 035.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to disburse the 50% of arrears of pension and EL Surrender amount along with interest which the petitioner is entitled under the contributory pension scheme by considering the petitioner's representation dated 25.09.2022.

For Petitioner : Mr. K.Prabhakaran
For Respondent-1: Mr.S.Rajesh, GA
For Respondent-2: Mr.S.Sivasubramani



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ORDER

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

2. The petitioner herein had given a representation to the respondents on 25.09.2022, seeking for disbursement of his 50% of arrears of Pension and EL Surrender amount, along with interest which he is entitled under the contributory pension scheme. 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 petitioners' representation dated 25.09.2022 on its own merits and pass appropriate orders in accordance with law, within a period of six 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. 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 Secretary to Government,
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Chennai-600 009.
- 2.The Registrar,
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Annamalai Nagar,
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