



W.P.No.29961 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.29961 of 2023

D.Natarajan

...Petitioner

Vs

1. The Principal Secretary
Rural Development and
Panchayat Raj Department
Secretariat
Chennai – 600 009

2. The Director
Uraga Valarchi Matrum Uratchi Iyakkayagam
Panagal Building, Saidapet
Chennai – 600 015

3. The Commissioner / Director
Local Fund Audit
Ullatchi Nithi Thanikkai Iyakkunaragam
Orunginaindha Nidhi Thurai Valagam
4th Floor, Chennai – 600 035

4. The Commissioner
Panchayat Union
Polur, Thiruvannamalai

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to



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transfer the petitioner's CPS account amount with interest to petitioner's GPF account and disburse the same within a reasonable stipulated time.

For Petitioner : Mr.R.Lakshmanan

For Respondents : Mr.VPR.Elamparathi
Addl. Government Pleader for R1 to R3

Mr.S.P.Karthik
Government Advocate for R4

ORDER

Heard Mr.R.Lakshmanan, learned counsel for the petitioner, Mr.VPR.Elamparathi, learned Additional Government Pleader for Respondents 1 to 3 and Mr.S.P.Karthik, learned Additional Government Pleader for the fourth respondent.

2. The petitioner herein had given representation to the third respondent on 05.04.2022 to transfer the amount in his Contributory Pension Fund Account No. 7028457/GA to his General Provident Fund account. Since the said representation was not considered by the third respondent, the present writ petition has been filed.



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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, 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 third respondent herein to consider the petitioner's representation dated 05.04.2022, 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 made by 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.



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No costs.

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Index: Yes/No

Speaking order/Non-speaking order
gpa

To

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M.S.RAMESH,J.

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