



W.P.No.30083 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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1. M.S.Thenmozhi
2. R.Loganayaki
3. G.Mangammal
4. S.Malathi
5. P.Usharani
6. N.Vijayalakshmi
7. V.Santhi
8. C.Indira
9. M.Sargunam
10. P.Malarkodi
11. N.Sulochana
12. P.Gowri
13. P.Selvi
14. G.Jayanthi



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15. M.N.Pushparani

16. A.Senthamarai

17. M.Santhamani

18. M.Ambika

19. N.Vijayalakshmi

20. V.Santhi

21. S.Pitchaimani

...petitioners

Vs

1. The Secretary to Government
Health and Family Welfare Department
Fort St.George
Chennai.

2. The Director
Directorate of Medical and Preventive Medicine
DMS Complex
Teynampet
Chennai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first and second respondents to consider and pass orders on the representation made by the petitioners dated 27.08.2021 to include the petitioners in the General issue General Provident Fund Number with all service and monetary benefits more particularly within a time frame.



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For petitioners : Mr.J.Pooventhera Rajan
For Respondents : Ms.V.Yamuna Devi
Special Government Pleader

ORDER

Ms.V.Yamuna Devi, learned Special Government Pleader accepts notice for the respondents. With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioners herein has given a representation to the respondents on 27.08.2021, seeking to include the petitioners in the General Provident Fund. Since the said representation has not been considered till date, 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 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



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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 27.08.2021, 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.

No costs.

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Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes/No

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To

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Chennai.
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M.S.RAMESH,J.

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