



W.P.No.32730 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32730 of 2023

G.Vijayalakshmi

...Petitioner

Vs

1. The Principal Secretary to Government
Social Welfare Department
Secretariat
Chennai – 600 009

2. The Commissioner of Social Welfare
Pangal Maaligai 2nd Floor
Saidapet
Chennai – 600 015

3. The District Project Officer
Child Welfare Scheme
Krishnagiri-635 115

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 20.07.2020 within the time frame framed by this Court.



W.P.No.32730 of 2023

For Petitioner : Mr.D.Muthukumarappa

For Respondents : Mrs.V.Yamuna Devi
Special Government Pleader

ORDER

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

2. Heard Mr.D.Muthukumarappa, learned counsel for the petitioner and Mrs.V.Yamuna Devi, learned Special Government Pleader for the respondents.

3. The petitioner herein had given representation to the respondents on 20.07.2020 seeking pension. Since the said representation was not considered by the respondents, the present writ petition has been filed.

4. 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



W.P.No.32730 of 2023

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.

5. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representations dated 20.07.2020, on its own merits and pass appropriate orders in accordance with law within a period of eight 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 petitioner and that it is open to the concerned respondent to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

21.11.2023

Index: Yes/No
Speaking order/Non-speaking order
gpa



W.P.No.32730 of 2023

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W.P.No.32730 of 2023

M.S.RAMESH,J.

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W.P.No.32730 of 2023

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