



WEB COPY



W.P.No.33157 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.33157 of 2023

Mr.S. Gobinathan

... Petitioner

Vs.

1.The Commissioner of Corporation,
Office of Corporation, Tiruppur District.

2.The Assistant Commissioner of Corporation,
Office of Corporation, Tiruppur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to disburse the retirement benefits of petitioner's deceased mother namely Lakshmi, based on his representation dated 06.06.2014 and consequently to appoint him in the suitable post based on the 2nd respondent proceedings in Na.Ka.No.C1/1659/2013 dated 25.04.2013.

For Petitioner : Ms.K. Swetha

For Respondents : Mr.D. Arun Kumar,
Standing Counsel



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ORDER

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

2. The petitioner herein had given a representation on 06.06.2014, seeking for disbursement of the retirement benefits of his deceased mother and to appoint him in the suitable post based on the second respondent's proceedings dated 25.04.2013. 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 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 first respondent herein, to consider the petitioner's representation dated 06.06.2014, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) 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.

No costs.

24.11.2023

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Commissioner of Corporation,
Office of Corporation, Tiruppur District.
- 2.The Assistant Commissioner of Corporation,
Office of Corporation, Tiruppur District.

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