



W.P.(MD).No.14483 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.08.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.14483 of 2023

1.Sethu
2.Varalakshmi
3.Sundari

... Petitioners

Vs.

1.The Additional Chief Secretary,
Department of Municipal Administration and
Water Supply,
Fort St. George,
Chennai.

2.The Department of Rural Development,
Represented by its Secretary,
Fort St. George,
Chennai.

3.The Commissioner of Municipal Administration,
Ezhilagam Annexe,
Chepauk,
Chennai – 600 005.

4.The Managing Director,
Tamil Nadu Women Development Corporation,
Mother Theresa Womens Complex,
1st Floor, Valluvar Kottam High Road,
Nungambakkam,
Chennai – 34.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to disburse the retirement benefits including pension and arrears of additional cost to the tune of Rs.9,000/- per month from June, 2016 to till date to the petitioner within the period stipulated by this Court.

For Petitioners : Mr.T.Aswin Rajasimman
For Respondents : Mr.N.Muthuvijayan
Special Government Pleader

ORDER

The present Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to disburse the retirement benefits including pension and arrears of additional cost to the tune of Rs.9,000/- per month from June, 2016 to till date to the petitioner within the period stipulated by this Court.

2.Heard Mr.T.Aswin Rajasimman, learned counsel appearing for the petitioners and Mr.N.Muthuvijayan, learned Special Government Pleader appearing for the respondents and perused the materials available on record.



W.P.(MD).No.14483 of 2023

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3.The petitioners worked as Community Organizers and got retired on 31.07.2018, 31.05.2019 and 28.02.2019 respectively after serving more than for a period of 30 years. However, the respondents did not disburse the retirement benefits including pension and arrears. As a result of which, the petitioners made a representation dated 13.06.2023 to the respondents. However, the same was not considered. Hence, this Writ Petition came to be 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 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 the Constitution of India and direct them to consider the same within a stipulated time.



W.P.(MD).No.14483 of 2023

5.Considering the facts and circumstances of the case, this Court, without expressing any opinion with regard to the merits of the claim made in the Writ Petition, directs the respondents to consider the representation of the petitioners, dated 13.06.2023 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of.
There shall be no order as to costs.

**01.08.2023
(1/2)**

NCC : Yes / No
Index : Yes / No
Internet : Yes
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L.VICTORIA GOWRI, J.

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