



W.P(MD)No.5459 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.03.2024**

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.5459 of 2024

K.Malar

... Petitioner

Vs.

1.The District Collector,
Thiruchirappalli District,
Thiruchirappalli.

2.The Block Development Officer (Nutritious Meals),
Marungapurai,
Thiruchirappalli District.

3.The Headmaster,
Government Higher Secondary School,
Marungapurai,
Thiruchirappalli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to consider and pass orders of the petitioner's representation, dated 20.02.2024 to disburse the terminal benefits of Adakki, Former Cook, Government Higher Secondary School, Kovilpatti, Thirichirappalli District more particularly within a time frame as may be stipulated by this Court.



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For Petitioner : Mr.A.Thiyagarajan
For R1 & R3 : Mr.S.Shaji Bino
Government Advocate
For R2 : Mr.R.Ragavendran
Government Advocate

ORDER

The present writ petition has been filed seeking direction to the respondents herein to consider and pass orders of the petitioner's representation, dated 20.02.2024 to disburse the terminal benefits of Adakki, Former Cook, Government Higher Secondary School, Kovilpatti, Thirichirappalli District more particularly within a time frame as may be stipulated by this Court.

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

3. One Adakki died on 13.07.2022 while serving as Noon Meal Cook in the 3rd respondent school. She is the blood sister of the petitioner's deceased husband Karuppasamy. The petitioner's husband died on 01.06.2023 leaving the petitioner as his legal heir. The said Adakki remained unmarried and died leaving Palanichamy, Chinnaponnu, Karuppasamy and Aarayee as legal heirs. Her parents also



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predeceased her. Having no Class I legal heirs, her terminal benefits has to be disbursed among the Class II legal heirs proportionately. The petitioner had made several representations in the regard to the respondents and the last of which is on 20.02.2024. Since the same was not considered, 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 respondent 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 made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

5. Without going into the merits of the case, this Court hereby direct the respondents to consider the representation of the petitioner, dated 20.02.2024 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of copy of this order.



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6. With the above said observations, this Writ Petition stands disposed of. No costs.

07.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The District Collector,
Thiruchirappalli District,
Thiruchirappalli.
- 2.The Block Development Officer (Nutritious Meals),
Marungapurai,
Thiruchirappalli District.
- 3.The Headmaster,
Government Higher Secondary School,
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L.VICTORIA GOWRI,J.

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Order made in
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Dated:
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