



W.P.(MD) No.7228 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.7228 of 2024

V.Renganatha Pattar

.. Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments,
Nungambakkam High Road,
Chennai-34.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Madurai.

3.The Executive Officer,
Arulmigu Venkatachalapathy Thirukoil,
Sattur.

.. Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to disburse the pension amount of Rs.4,68,105/- which is due to the petitioner from 01.08.2013 to 29.02.2024 and further continue to pay the monthly pension regularly as per the Government Orders within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.S.Venkatesh

For R1 & R2 : Mr.P.Subburaj,
Special Government Pleader

For R3 : Mr.P.Mahendran
Standing Counsel

ORDER

The petitioner has filed this writ petition for a direction to the respondents to disburse the pension amount of Rs.4,68,105/- which is due to the petitioner from 01.08.2013 to 29.02.2024 and further continue to pay the monthly pension regularly as per the Government Orders within the stipulated time as may be fixed by this



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Court.

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2. Heard Mr.S.Venkatesh, learned counsel for the petitioner and Mr.P.Subburaj, learned Special Government Pleader for the respondents 1 & 2 and Mr.P.Mahendran, learned Standing counsel for the third respondent.

3. When the matter is taken up for hearing today, Mr.P.Mahendran, learned Standing counsel for the third respondent submitted that the proposal is going to be sent shortly from the third respondent to the first respondent through proper channel, who is the second respondent.

4. Since the petitioner has retired as early as on 31.07.2013 and his retirement papers have not been submitted so far, the third respondent is under the compelling situation to forward the papers to the first respondent without making any further delay. The

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petitioner's representations dated 03.11.2023 & 31.01.2024 also pending with the third respondent without any consideration.

5. 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 their 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. The failure on the part of the Authority had prompted the petitioner to file this petition seeking relief through issuance of writ of mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.



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6. In the light of the above observations, there shall be a direction to the third respondent to forward the proposal within a period of two weeks from the date of receipt of a copy of this order and on receipt of such proposal, the first respondent shall consider the same on its own merits and pass appropriate orders in accordance with law, within a period of six weeks thereafter.

7. With the above direction, this writ petition is **disposed of. No Costs.**

10.04.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
PJJ

To
1.The Commissioner,
Hindu Religious and Charitable Endowments,
Nungambakkam High Road,
Chennai-34.

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R.N.MANJULA, J.

PJL

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Madurai.

3.The Executive Officer,
Arulmigu Venkatachalapathy Thirukoil,
Sattur.

**Order made in
W.P.(MD)No.7228 of 2024**

10.04.2024

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