



WP.(MD).No.7554 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 27.03.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.7554 of 2024

D.Indra

... Petitioner

Vs.

1.The Secretary to Government (revenue),
Government of Tamil Nadu,
Chennai.

2.The Principal Accountant General (A&E),
Anna salai,
Chennai.

3.The Thasildar,
Ilayankudi,
Sivagangai.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider her representation dated 17.01.2024.

For Petitioner : Mr.P.Malini
For Respondents 1 & 3 : Mr.R.Ragavendran
Government Advocate
For 2nd Respondent : Mr.P.Gunasekaran
Standing Counsel



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ORDER

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2.This Writ Petition has been filed for issuance of a Writ of Mandamus, seeking a direction to consider the petitioner's representation dated 17.01.2024.

3.The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner's husband was originally appointed as a Village Karnam in Emaneswaram. Thereafter, the Government of Tamil Nadu abolished the said post on 14.11.1980. Following which, he was appointed as a Noon Meal Organizer by the proceedings of the Collector dated 16.11.1987 in the Government Higher Secondary School, at Ayankurichi Village, wherein he worked from 27.11.1987 to 30.04.2001. Thereafter, by the proceedings of the Revenue Divisional Officer, Sivagangai dated 26.04.2001, he was further appointed as a Village Administrative Officer, at Sathanur, Ilayangudi Taluk, Sivagangai District. After continuous service without break, he retired on 30.06.2006. He completed all the



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training and passed relevant departmental examination in the post of Village Administrative Officer. Even then his service was not regularised and was not given annual increment. Hence, the petitioner had sent a representation to the second respondent stating the facts and sought for grant of arrears of pension of her husband and family pension to her on 17.01.2024. However, the same was not considered. Hence, this Writ Petition came to be filed.

4.Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents 1 and 3, the learned Standing Counsel appearing for the second respondent and carefully perused the entire materials available on record.

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 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



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dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

6.In view of the same, without going into merits of the case, this Court hereby direct the second respondent to consider the petitioner's representation dated 17.01.2024 and pass appropriate order in accordance with law within a period of 12 weeks from the date of receipt of copy of this order.

7.Accordingly, this Writ Petition stands allowed. There shall be no order as to costs.

27.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn



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L.VICTORIA GOWRI, J.

Mrn

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