



W.P.(MD).No.7837 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 28.03.2024**

**CORAM**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD).No.7837 of 2024**

J.Roja

... Petitioner

Vs.

The District Collector,  
Ramanathapuram District,  
Ramanathapuram.

... Respondent

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to issue No Due Certificate and consequently pay the petitioner the pension along with arrears with interest by considering her representation dated 09.02.2024 and pass orders on the same on merits and in accordance with law within the period that may be stipulated by this Court.

For Petitioner : Mr.M.E.Ilango

For Respondents : Mr.M.Sarangan,  
Additional Government Pleader



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## **ORDER**

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

2. The present writ petition has been filed seeking direction to the respondent to issue No Due Certificate and consequently pay the petitioner, the pension along with arrears with interest by considering her representation dated 09.02.2024.

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

The petitioner was initially appointed as Junior Assistant in the year 1986, then promoted as Assistant in the year 1993. After being promoted to various posts, she was finally promoted as PA to District Collector and on attaining the age of superannuation, she retired from service on 31.05.2023. However, the pension had been withheld in the office of the respondent for the reason that No Due Certificate had not been issued. Hence, the petitioner made



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a representation, seeking the respondent to issue No Due Certificate. Since the same was not considered by the respondent, the present writ petition came to be filed.

4. Heard, the learned Counsels on either sides. Carefully perused the 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 dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

6. Without going into the merits of this case, this Court hereby direct the respondent to consider the petitioner's representation dated 09.02.2024 and



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pass appropriate orders in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition stands disposed of. No costs.

**28.03.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
Sml

To  
The District Collector,  
Ramanathapuram District,  
Ramanathapuram.



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**L.VICTORIA GOWRI, J.**

Sml

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