



W.P.(MD)No.12768 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.12768 of 2024

T.Mangaiyarkarasi

... Petitioner

vs.

1.The Registrar,
(Housing Facility),
No.48, 2nd Floor,
Tamil Nadu Co-operative Housing Facility,
Lithadon Road,
Veppery, Chennai - 600 007.

2.The President,
A-1929, Co-operative Housing Society,
Thirunagar, Madurai - 625 006.

3.The Deputy Registrar, (Housing)
Bhaskar Complex,
A Block, 2nd Floor,
No.5, Besant Road,
Chinnachokkikulam,
Madurai - 625 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay the monetary benefits including PF, Gratuity, leave salary with salary arrears



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with interest and other benefits that is owed to the petitioner based on the petitioner's representation dated 20.04.2024 within a stipulated time.

For Petitioner : Mr.V.Maharajan

ORDER

Heard Mr.V.Maharajan, learned counsel appearing for the petitioner. Since no adverse order is going to be passed, notice to the respondents is dispensed with.

2. The petitioner herein, who retired as Secretary on 30.06.2015 has not been given with PF, gratuity, leave salary and salary arrears till date. The petitioner's grievance is that though she was acquitted in the criminal case pending against her, she has not been given with the monetary benefits. She had given a representation dated 20.04.2024 to the respondents seeking to pay the said benefits. Since the said representation was not considered, the present writ petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon



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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. 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.

4. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 20.04.2024 on their own merits and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on their own merits.



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5. With the above direction, the Writ Petition stands **disposed**

of. No costs.

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NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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To

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R.N.MANJULA, J.

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