



W.P.(MD)No.15161 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.15161 of 2024

S.Seeni

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its,
The Principal Secretary to Government,
Department of Higher Education,
Secretariat,
Fort St.George,
Chennai – 600 009.

2.The Director,
Directorate of College Education,
E.V.K.Sampath Buildings,
Nungambakkam,
Chennai – 600 006.

3.The Principal,
H.H.the Rajah's College,
Pudukottai – 622 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant pension benefits of the petitioner by taking into account the past service of the petitioner rendered in aided college as qualifying service by considering the representation dated 17.05.2024 within the time period stipulated by this Court.



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For Petitioner : Mr.T.Aswin Raja Simman

For R-1 and R-2 : Mr.T.Amjadkhan
Government Advocate

ORDER

Heard Mr.T.Aswin Raja Simman, learned counsel appearing for the petitioner and Mr.T.Amjadkhan, learned Government Advocate appearing for the respondents 1 and 2.

2. The petitioner herein had given a representation to the respondents 1 and 2, on 17.05.2024 seeking for pensionary benefits by taking into account his past service rendered in aided college as qualifying service. 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 Statutory Authority, there is a duty cast upon the respondents to consider the same on its 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 for 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



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the Constitution of India, the respondents are required to be given with 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 1 and 2 herein to consider the petitioner's representation dated 17.05.2024 on its own merits and pass appropriate orders in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the respondents 1 and 2 to consider the same on its own merits.

5. With the above direction, the Writ Petition stands **disposed of**. No costs.

09.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To:

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- 1.The Principal Secretary to Government,
The Government of Tamil Nadu,
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Fort St.George,
Chennai – 600 009.
- 2.The Director,
Directorate of College Education,
E.V.K.Sampath Buildings,
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R.N.MANJULA, J.

Nsr

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