



W.P.(MD)No.15820 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.07.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.15820 of 2024

Muthu @ Marichamy

... Petitioner

Vs.

The Commissioner,
Aranthangi Municipality,
Aranthangi,
Pudukkottai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to pay the terminal benefits of the petitioner based on the petitioner's representation dated 27.04.2024.

For Petitioner : Mr.D.Rameshkumar
For Respondent : Mr.S.Kameswaran
Government Advocate

ORDER

Heard Mr.D.Rameshkumar, learned counsel for the petitioner,
Mr.S.Kameswaran, learned Government Advocate for the respondent.



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2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner was working as a Junior Assistant in the respondent Municipality and retired from service on 28.03.2024. However, the retirement benefits were not paid to the petitioner. Hence, the petitioner made a representation dated 27.04.2024 to the respondent. Since the same was not considered, the petitioner has filed this writ petition.

4. 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 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 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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5. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 27.04.2024 on its own merits and pass appropriate orders in accordance with law and in light of the earlier judicial pronouncement, if any, within a period of four (4) 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 its own merits.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

15.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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To

The Commissioner,
Aranthangi Municipality,
Aranthangi,
Pudukkottai District.



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R.N.MANJULA, J.

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