



W.P.(MD)No.14949 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.14949 of 2025

M.Vijayakumar

: Petitioner

Vs.

1. The Principal Accountant General,
Annasalai, Tenyampet,
Chennai 600 018.

2. The Commissioner,
Municipal Administration,
Chepauk,
Chennai 600 005.

3. The Regional Director,
Municipal Administration,
Tirunelveli 627 002.

4. The Commissioner,
Nagercoil Municipality,
Nagercoil.

5. The Commissioner,,
Kovilpatti Municipality,
Kovilpatti.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to



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consider the petitioner representation dated 27.02.2025 and disburse the petitioner pending salary, contribute pension scheme, back wages, salary, EL Surrender and other monetary benefits towards the petitioner service as a community organizer to the 4th and 5th respondents.

For Petitioner : Mr. V.Sukumar

For Respondent : Mr.K.Balasubramani

Special Government Pleader
for R2 and R3

Ms.S.Mahalakshmi for R1

ORDER

The writ petition has been filed for the issuance of a writ of Mandamus, directing the respondents to consider the petitioner's representation dated 27.02.2025 and to disburse the pending salary, contribute to the pension scheme, pay back wages, salary, encashment of earned leave (EL surrender) and other monetary benefits due to the petitioner for his service as a Community Organizer under respondents 4 and 5.

2. Heard the learned counsel for the petitioner, the learned counsel appearing on behalf of the first respondent and the learned Special Government Pleader appearing on behalf of the respondents 2



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and 2. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 4 and 5 is dispensed with. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The petitioner asserts that he was appointed as a Community Organizer in the second respondent Department and pursuant to an appointment order dated 19.02.2010, he joined the fourth respondent Municipality on 25.02.2010. Subsequently, he was transferred to the fifth respondent Municipality. In order to pursue higher education, the petitioner resigned from the said post on 16.12.2013. Thereafter, the petitioner submitted a representation dated 27.02.2025, requesting disbursement of his service benefits. As no action has been taken on the said representation, the petitioner has now filed the present writ petition.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the respondents to consider the proposal of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.



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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 him 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 by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the concerned respondent to consider the petitioner's representation dated 27.02.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.



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7. With the above directions, the Writ Petition stands

disposed of. There shall be no order as to costs.

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Index : Yes / No

Internet : Yes / No

PKN

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