



W.P.(MD)No.16105 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.16105 of 2025

Sivasubramanian

: Petitioner

Vs.

The Commissioner,
Oddanchathiram Municipality ,
Dindigul District.

: Respondent

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to consider the Petitioners representation dated 25.03.2025 and forward his pension proposal to the pension approval authority as directed by the communication dated 16.12.2024 forthwith.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.T.Lenin Kumar

ORDER

The writ petition has been filed for the issuance of a writ of Mandamus, directing the respondent to consider the petitioner's representation dated 25.03.2025 and forward his pension proposal to the



W.P.(MD)No.16105 of 2025

WEB COPY

pension approval authority, as directed by the communication dated 16.12.2024 forthwith.

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

3. Alleging that the respondent wilfully made incorrect calculations in the petitioner's pension proposal, despite having been directed by the pension approval authority to rectify the defects, the petitioner submitted a representation dated 25.03.2025 to the respondent, requesting that the pension proposal be resubmitted after rectifying the said defects. As no action was taken on the 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 respondent to consider the representation of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.



W.P.(MD)No.16105 of 2025

WEB COPY

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 respondent to consider the petitioner's representation dated 25.03.2025, 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 respondent to consider the same on its own merits.



W.P.(MD)No.16105 of 2025

WEB COPY

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

18.06.2025

Index : Yes / No

Internet : Yes / No

PKN

To

The Commissioner,
Oddanchathiram Municipality ,
Dindigul District.



WEB COPY



W.P.(MD)No.16105 of 2025

VIVEK KUMAR SINGH, J.

PKN

W.P.(MD) No.16105 of 2025

18.06.2025