



W.P.(MD)No.18510 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.18510 of 2025

Reji Anitha

... Petitioner

-VS-

1.The Special Commissioner and Director of
Economics and Statistics Department,
DMS Campus,
Annasalai,
Teynampet,
Chennai - 600 006.

2.The Deputy Director of Statistics,
Ground Floor, Bharathi Ula Street,
Race Course Ground,
Madurai - 600002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the representations submitted by the petitioner dated 07.05.2019 and 01.09.2022, seeking payment of retirement benefits, pension and other retirement benefits payable to deceased Khathavarayan to the petitioner in the light of the proceedings issued by the first respondent in his letter No.13960/K2/2019 dated 21.09.2022, in accordance with law, within the time stipulated by this Court.



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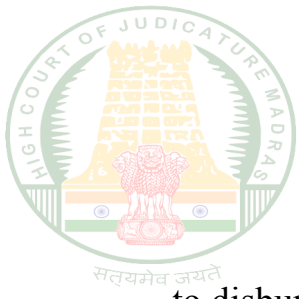
For Petitioner : Mr.P.Mahendran
For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to consider the petitioner's representations dated 07.05.2019 and 01.09.2022, requesting payment of pension and other retirement benefits due to the deceased Khathavarayan, in the light of the proceedings issued by the first respondent in Letter No.13960/K2/2019 dated 21.09.2022 and to pass appropriate orders in accordance with law, within the time stipulated by this Court.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, she being the legally adopted daughter and sole legal heir of the deceased employee Khathavarayan as confirmed by the Succession Certificate issued by the learned II Additional Sub Court, Madurai in S.O.P.No.15 of 2004, is entitled to receive all retirement benefits including pension, gratuity and provident fund and prays for a direction to the respondents



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to disburse the same without further delay, in accordance with law, by considering the representations dated 07.05.2019 and 29.10.2022.

4. Heard both sides.

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 the 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 first respondent herein to consider the petitioner's representations dated 07.05.2019 and 29.10.2022, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a



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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 first respondent to consider the same on its own merits.

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

NCC : Yes / No
Index : Yes / No
smn2

08.07.2025

To:-

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VIVEK KUMAR SINGH, J.

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