



W.P.(MD).No.19921 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19921 of 2024

E.Muthukrishnan

... Petitioner

-vs-

**1. The District Adi Dravidar And Tribal Welfare Officer,
Tenkasi,
Tenkasi District.**

**2. The Accountant General (A & E),
No.361, Anna Salai,
Teynampet,
Chennai - 600 018.**

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to enroll the petitioner under old pension scheme by considering the petitioner's representation dated 23.04.2024 within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondents : Mr.K.Balasubramani (R1)

Special Government Pleader

Ms.S.Mahalakshmi (R2)



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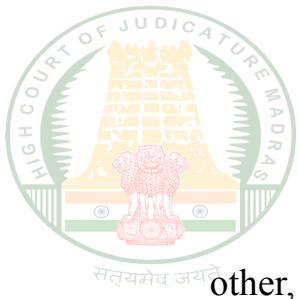
ORDER

This writ petition has been filed seeking a direction to the respondents to enroll the petitioner under old pension scheme by considering the petitioner's representation dated 23.04.2024 within the time stipulated by this Court.

2. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The petitioner was employed as 'Cook' in the Government Boys Hostel, Solaicheri, on 27.11.2000 and he was enrolled under the General Provident Fund Scheme and three installments were deducted. Subsequently, it was transferred to the newly established contributory pension scheme. Hence, the petitioner made a representation to the respondents dated 23.04.2024 seeking for the aforesaid relief. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. 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



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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.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representations dated 23.04.2024 on its own merits and pass appropriate orders in accordance with law, within a period of six weeks 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.

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

07.07.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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TO:-

1. The District Adi Dravidar And Tribal Welfare Officer,
Tenkasi,
Tenkasi District.

Order made in
W.P.(MD)No.19921 of 2024

Dated:
07.07.2025