



W.P.(MD)No.22155 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.08.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.22155 of 2025

S.Muthaiah

: Petitioner

Vs.

1. The Additional Chief Secretary,
Department of Municipal Administration and Water Supply,
Secretariat, Chennai-09.
2. The Director,
Directorate of Municipal Administration,
No.75. Santhome High Road,
Raja Annamalaipuram,
Chennai-28.
3. The Commissioner,
Department of Municipal Administration and Water Supply,
Chepauk, Chennai.
4. The Assistant Director,
Directorate of Local Fund Audit,
Professor K.Anbalagan Maligai,
4th Floor, Nanathanam, Chennai-35.
5. The Regional Director of Municipal Administration,
O/o. Regional Director of Municipal Administration,
Kochadai, Madurai.



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6. The Commissioner,
Chinnamanoor Municipality,
Theni District.

: Respondents

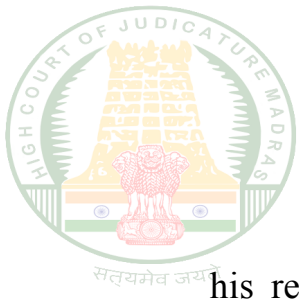
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the second respondent to complete the proceedings in Moo.Mu.No.e-999924/Na.Oo.Sa(2)/2025 dated 30.05.2025 sent by the Respondent No.4 and to provide pension benefits to the Petitioner from the date of his original appointment along with interest by considering his representation dated 30.06.2025 within the time stipulated by this Court.

For Petitioner : Mr.M.Manimuthu

For Respondents : Mr.K.Balasubramanian (R1 to R5)
Special Government Pleader
Mr.T.Amjad Khan (R6)
Government Advocate

ORDER

This writ petition has been filed seeking a direction to the second respondent to complete the proceedings in Moo.Mu.No.e-999924/Na.Oo.Sa(2)/2025 dated 30.05.2025 issued by the fourth respondent and to provide pension benefits to the petitioner from the date of his original appointment along with interest by considering



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his representation dated 30.06.2025 within the time stipulated by this Court.

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 appointed as Watchman under NMR basis on daily wages in the year 1988 and he had been absorbed in the year 1999. Thereafter, he was posted to the post of Sanitary Supervisor in the 6th respondent Municipality with effect from 20.09.1999 and his service was regularized in the year 2000. Now, he retired from service on 28.06.2024. Now, the petitioner seeks for pensionary benefits from the date of his original appointment. In this regard, the petitioner made a representation to the respondents dated 30.06.2025. Since the said representation was not considered till date, 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



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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.

5. In the light of the above observations, there shall be a direction to the respondents to consider the petitioner's representation dated 30.06.2025, 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.

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Index : Yes / No
NCC : Yes / No
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M.DHANDAPANI, J.

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