



W.P.(MD).No.26803 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.26803 of 2023

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... Petitioner

-VS-

1. The District Educational Officer,
Kuzhithurai Educational District,
Marthandam 629165,
Vilavancode Taluk,
Kanyakumari District.

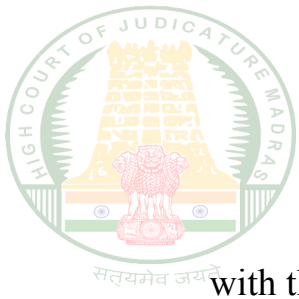
2. The Accountant General,
O/o. the Accountant General,
A and E Tamilnadu,
Anna Salai,
Chennai-600018.

3. The Secretary,
Kalkulam & Vilavancodu,
Taluk Teachers Co-operative Thrift & Credit Society Ltd.,
K.V.116, Kulithurai & Post,
Kanyakumari District 629 163.

... Respondents

(R3 is impleaded vide order of this Court dated 25.06.2025 in WMP(MD)No. 23479 of 2023.)

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in connection



W.P.(MD).No.26803 of 2023

with the impugned order of 1st respondent in O.Mu.No. 5222/Aa5/2023 dated 18.10.2023 and quash the same since it is against sec.60(g) CPC and direct the respondents to disburse the DCRG amount of Rs.2,51,449/- with interest as per Rule 45(A) of Tamilnadu Pension Rules within a time frame.

For Petitioner : Mr.S.Titus

For Respondents : Mr.M.Siddharthan (R1)

Additional Government Pleader

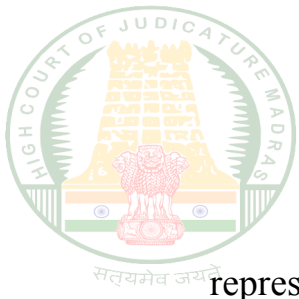
Mr.P.Gunasekaran (R2)

ORDER

This writ petition has been filed challenging the impugned order passed by the first respondent in O.Mu.No. 5222/Aa5/2023 dated 18.10.2023 with a consequential direction to the respondents to disburse the DCRG amount of Rs.2,51,449/- with interest as per Rule 45(A) of Tamil Nadu Pension Rules within a time frame.

2. Heard the learned counsel on either side.

3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submits that though larger relief has been sought for by the petitioner, now, he confines the prayer that it would suffice if the



W.P.(MD).No.26803 of 2023

WEB COPY

representation submitted by the petitioner dated 12.10.2023 is disposed of in accordance with law.

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 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. Considering the facts and circumstances of this case and also considering the fact that the representation submitted by the petitioner is of the year 2023, the petitioner is directed to make a fresh representation before the first respondent, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the first respondent shall consider the same on its own merits and pass appropriate orders, in accordance with law, within a period of two weeks thereafter.



W.P.(MD).No.26803 of 2023

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

NCC : Yes/No
Index : Yes / No
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25.06.2025
(2/2)



W.P.(MD).No.26803 of 2023

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VIVEK KUMAR SINGH, J.

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W.P.(MD)No.26803 of 2023
(2/2)

Dated:
25.06.2025