



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :03.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.26188 of 2019

A.Samuvel Royar Keeran

... Petitioner

Vs.

The Management of
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region,
Rep. by its General Manager,
Trichy.

... Respondent

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondent to pay arrears of wages to the petitioner for the month of July 2018, together with 18% interest p.a, after correctly arriving at the monthly wages payable to him by taking note of the enhanced rate of dearness allowance as ordered/fixed for the period from 01.07.2018 to 31.12.2018 in the G.O.Ms.No.313, Finance (Allowances) Department dated 18.09.2018 and also to revise his terminal benefits, namely gratuity and encashment of 79.5 days earned leaves, based on such wages payable to him on the month of his retirement i.e., July, 2018 and accordingly to pay him balance/arrears of gratuity and encashment of earned leave days, together with 18% interest p.a, within a time frame as may be fixed by this Honourable Court.

For Petitioner : Mr.V.R.Arunkumar
For Respondent : Mr.D.Sivaraman

ORDER

Though larger relief has been sought for by the petitioner in this writ petition, now the petitioner has restricted his prayer to consider his representation dated 15.10.2019.

2. Whenever a representation is made to a statutory authority to redress the claim of an employee, there is a duty cast upon the authority to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby, this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby, direct such authority to consider the representation within a stipulated time.

3. In view of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 15.10.2019 on its own merits and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim



made by the petitioner in his representation and it is for the respondent to consider it in accordance with law.

4. With the above direction, this Writ Petition is disposed of. No costs.

WEB COPY

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pm

To
The General Manager,
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region, Trichy.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-252[F] dated 06/01/2020)

Order made in
W.P. (MD) No.26188 of 2019
03.01.2020

SMA/21/01/2020/2P/3C