



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.12.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P. (MD) No. 26085 of 2019

WEB COPY

Chandralekha

... Petitioner

/vs./

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi Division,
Karaikudi, Sivagangai District.

2. Sakthi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 26.07.2019 and disburse half of the death and service benefits of petitioner's deceased husband, Pandimuthu to the petitioner and the other half to the second respondent.

For Petitioner : Mr.J.Barathan
For R-1 : Mr.D.Sivaraman
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The limited prayer sought for in the present writ petition is that to consider the petitioner's representation dated 26.07.2019 seeking disburse half of the death and service benefits of petitioner's deceased husband, Pandimuthu to the petitioner and the other half to the second respondent.

3. Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondent to consider the same on its own merit 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 the stipulated time.



4. In view of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 26.07.2019 on its own merits and pass appropriate orders within a period of six (6) 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 first respondent to consider it in accordance with law.

5. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

rmk

+1 CC to M/s.T.R.JEYAPALAM, Advocate (SR-104049[F] dated 09/12/2019)

Order made in
W.P. (MD) No.26085 of 2019

Dated:
09.12.2019

kg (CO)

TR(30.12.2019)2P 2C