



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **24.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.1406 of 2020

WEB COPY

S.Subramani

... Petitioner

/vs./

1.The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Head Office,
37, Mettupalayam Road,
Coimbatore-641 043.

2.The General Manager,
Tamil Nadu State Transport Corporation Limited,
Erode Region,
Erode.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to pay the year-wise bonus, Pongal Gift, benefits of Casual Leave Medical Leave, Earned Leave, Special Festival Holidays for the period from 08.02.1988 to 27.11.2002 and other benefits for which the petitioner is entitled along with 12% interest to the petitioner based on his representation dated 09.11.2019 within the time frame fixed by this Court.

For Petitioner : Mr.C.Prakasam
For Respondents : Mr.J.Senthilkumaraiah
Standing Counsel

ORDER

The limited prayer sought for the by petitioner is that to consider his representation dated 09.11.2019 seeking a direction to the respondents to pay the year-wise bonus, Pongal Gift, benefits of Casual Leave, Medical Leave, Earned Leave, Special Festival Holidays for the period from 08.02.1988 to 27.11.2002 and other benefits, for which, the petitioner is entitled along with 12% interest to the petitioner.

2.Whenever a representation is made to a statutory authority to redress the claim of the petitioner, there is a duty cast upon the respondents 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.

3.In view of the above observations, the first respondent herein is directed to consider the petitioner's representation dated 09.11.2019 in the light of the order in W.A.No.1148 of 2005 dated 28.08.2008 as well as the order in Cont.P.No.372 of 2010 dated 02.08.2010, within a period of four (4) 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 respondents to consider it in accordance with law.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Head Office,
37, Mettupalayam Road,
Coimbatore-641 043.

2.The General Manager,
Tamil Nadu State Transport Corporation Limited,
Erode Region,
Erode.

+1 CC to MR.J.SENTHIL KUMARAI AH, Advocate (SR-7939[F] dated 24/02/2020)

+1 CC to MR.C.PRAKASAM, Advocate (SR-8108[F] dated 25/02/2020)

Order made in
W.P. (MD)No.1406 of 2020
24.02.2020

MK (10.03.2020) 2P 5C