



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 14.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.14470 of 2018

N.Indra

...Petitioner

Vs

The General Manager,
Tamilnadu State Transport Corporation,
Ramakrishna Salai, Salem-7.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to release the terminal and pension benefits of the petitioner's husband namely K.C.Natarajan vide Driver No.3228 on the basis of the petitioner's representation dated 18.04.2018 within the time frame.

For Petitioner : Mrs.Gomathi Lakshmi

For Respondent : Mr.D.Raghu

ORDER

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

2. Since the petitioner's request for granting terminal and pension benefits of her husband, namely K.C.Natarajan, was not considered by the respondent, the present writ petition has been filed. According to the petitioner, she has made a representation in this regard on 18.04.2018, which is still pending.

3. 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 the respondents 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 Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, it would be appropriate to direct the respondent herein to consider the petitioner's representation dated 18.04.218 within a stipulated time and thereby, the ends of justice could be secured. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the respondent to consider the petitioner's representation dated 18.04.2018 on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

sbn

To

The General Manager,
Tamilnadu State Transport Corporation,
Ramakrishna Salai, Salem-7.

+1cc to Mr.M.Rajasekhar, Advocate, S.R.No.33234
+1cc to Mr.D.Raghu, Advocate, S.R.No.33254

W.P.No.14470 of 2018

GSM(CO)
CB(18/08/2021)