



W.P.(MD).No.3620 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.3620 of 2022

P.Jeyachithra

... Petitioner

Vs.

1.The General Manager,
Tamilnadu State Transport Corporation,
Madurai Region,
Dindigul Zone,
Regional Office,
Dindigul Collectorate Office (P.O),
Dindigul – 4.

2.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 600 002.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to settle the death benefits, the family pension and all other attendant benefits of petitioner's husband Late Ponnusamy based on petitioner's representation dated 15.02.2022 within the time that may be stipulated by this Court.



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For Petitioner : Mr.S.Sarvagan Prabhu
For Respondents : Mr.J.Senthil Kumaraiah,
Standing Counsel.

ORDER

The petitioner herein had given a representation to the respondents on 15.02.2022 seeking to settle the death benefits, the family pension and all other attendant benefits of the petitioner's husband, Late Ponnusamy . Since the said representation was not considered, the present Writ Petition has been filed.

2. 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.



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3. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation, dated 15.02.2022, on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order. 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.

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

01.09.2022

Index : Yes / No
Internet : Yes/ No
Lm

To

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M.S.RAMESH, J.

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