



W.P.(MD) No.9304 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.07.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.9304 of 2020

P.Muthu

... Petitioner

Vs.

The General Manager,
Tamil Nadu State Transport Corporation (Madurai Ltd.),
Bye-pass Road,
Madurai -10.

... Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondent to sanction the terminal benefits including the pension, provident fund amount and other accrued benefits to him with interest from the date of his retirement (31.05.2002) on the basis of the petitioner's representation, dated 4.7.2019, within the time frame as stipulated by this Court.

For Petitioner : Mr.K.Muthumalai

For Respondent : Mr.J.Senthilkumaraiah
Standing Counsel



W.P.(MD) No.9304 of 2020

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ORDER

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

2. The petitioner herein had given a representation to the respondents on 04.07.2019 seeking to sanction the terminal benefits including the pension, provident fund amount and other accrued benefits to him with interest from the date of his retirement (31.05.2002). Since the said representation was not considered, the present writ petition has been filed.

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.



W.P.(MD) No.9304 of 2020

WEB COPY

4. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 04.07.2019 on its own merits and pass appropriate orders in accordance with law, 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 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. With the above direction, the Writ Petition stands disposed of. No costs.

27.07.2022

Index : Yes / No
Speaking Order/ Non Speaking Order

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W.P.(MD) No.9304 of 2020

M.S.RAMESH,J.

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W.P.(MD) No.9304 of 2020

27.07.2022