



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) .No.11876 of 2022

WEB COPY

S.Dhanaraja Pandian

... Petitioner

Vs.

1.Tamil Nadu State Transport Corporation Limited,
Represented by its Managing Director,
Thirunelveli Division,
K.T.C. Nagar,
Thirunelveli - 627 011.

2.The General Manager,
Tamil Nadu State Transport Corporation Limited,
Nagercoil Region,
Rani Thottam,
Nagercoil,
Kanyakumari District - 629 001.

...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 to settle the terminal benefits amount payable to the petitioner such as P.F. Amount of Rs.4,15,503/- together with 6% interest from the date of his retirement i.e. 31.07.2015 to till the date of payment and all other attendant benefits to him within the stipulated period.

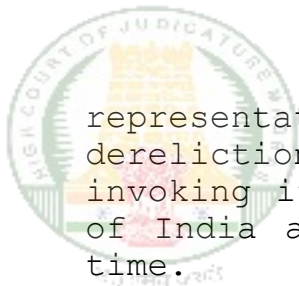
For Petitioner	:	Mr.A.K.Thangavelu
For Respondents	:	Mr.R.Rajamohan, Standing Counsel.

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 22.04.2022 seeking to settle the terminal benefits amount payable to the petitioner together with 6% interest. 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.

4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 22.04.2022 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. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Lm

To

1.The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Thirunelveli Division,
K.T.C. Nagar, Thirunelveli - 627 011.

2.The General Manager,
Tamil Nadu State Transport Corporation Limited,
Nagercoil Region,
Rani Thottam, Nagercoil,
Kanyakumari District - 629 001.

+1 CC to M/s.R. RAJAMOHAN, Advocate (SR-25769[F] dated 15/06/2022)
+1 CC to M/s.A.K. THANGAVELU, Advocate (SR-26346[F] dated
17/06/2022)

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DKS (CO)

TR(28.06.2022) 2P 5C