



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P. (MD) .No.12181 of 2022

Eswari

...Petitioner

Vs

The Managing Director/Executive Trustee,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Provident Fund Trust,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Bye-pass Road,
Madurai - 16.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to pay balance amount and accrued interest standing in the credit of Provident Fund Account No. 11656 pertaining to petitioner's Husband Mr.M. Sadaiyandi having staff No CR161435 by considering the petitioner's representation, dated 22.12.2021.

For Petitioner : Mr.K.K.Samy

For Respondent : Mr.Raja,
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 respondent on 22.12.2021 seeking for payment of balance amount and accrued interest standing in the credit of Provident Fund Account No. 11656 pertaining to her Husband Mr.M.Sadaiyandi having staff No CR161435. 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 respondent 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 respondent herein to consider the petitioner's representation dated 22.12.2021 on its own merits and pass appropriate orders in accordance with law, within a period of six 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.

Sd/-

Assistant Registrar (CO)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

Nsr

To

The Managing Director/Executive Trustee,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Provident Fund Trust,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Bye-pass Road,
Madurai - 16.

+1 CC to M/s.K.K. SAMY, Advocate (SR-26781[F] dated 20/06/2022)

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MGJ(01.07.2022) 2P 3C