



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2022

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.12405 of 2022

Parameswaran Sethurathinam

... Petitioner

Vs.

1.The Managing Director,
Tamilnadu State Transport Corporation,
No.27, Railway Station,
Kumbakonam - 612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation,
Pudukottai Region,
Pillaithanneerpandal,
Pudukottai.

3.The Administrator,
The Tamilnadu State Transport Corporation.
Corporation Employees Pension,
Pallavan Salai,
Chennai - 600 002.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to provide gratuity pay from the period 18.12.1986 to 15.10.1987 with interest by considering petitioners representation made on 09.05.2022 within a time stipulated by this Court.

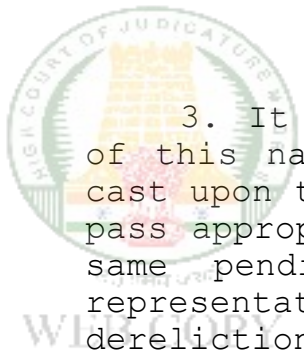
For Petitioner : Mr.A.Purantharashas

For Respondents : Mr.K.Jagadees Balan
Standing Counsel

O R D E R

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 09.05.2022 seeking to pay the gratuity amount from the period 18.12.1986 to 15.10.1987 with 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 respondents herein to consider the petitioner's representation dated 09.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve **(12)** 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 //

/ /2022

Sub Assistant Registrar(CS)

TM

To

- 1.The Managing Director,
Tamilnadu State Transport Corporation,
No.27, Railway Station,Kumbakonam - 612 001.
- 2.The General Manager,
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Pudukottai Region,
Pillaithanneerpandal,Pudukottai.
- 3.The Administrator,
The Tamilnadu State Transport Corporation.
Corporation Employees Pension,
Pallavan Salai,Chennai - 600 002.

+1 CC to M/s.A. PURANTHARADHAS, Advocate (SR-27324[F] dated 22/06/2022)

W.P. (MD) No.12405 of 2022

20.06.2022

MGJ(30.06.2022) 2P 5C