



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2022

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WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.12417 of 2022

Saravana Kumar

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd.,
rep. by is Managing Director,
New Railway Station Road,
Kumbakonam,
Thanjavur District.

2.The General Manager,
The Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi.

3.The Administrator,
The Tamil Nadu State Transport Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

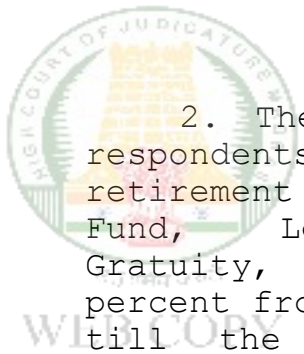
... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including Retirement Settle Amount, Provident Fund, Leave Salary, Retirement Arrears Amount, Commutation, Gratuity, etc., with interest at the rate of not less than 10 percent from the date when the same became due i.e. from 30.11.2021 till the date of actual payment to him within the time that may be stipulated by this Court.

For Petitioner : Mr.B.Sathanam Rajeshkumar
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 24.03.2022 seeking to settle the petitioner's retirement benefits including Retirement Settle Amount, Provident Fund, Leave Salary, Retirement Arrears Amount, Commutation, Gratuity, etc., with interest at the rate of not less than 10 percent from the date when the same became due i.e. from 30.11.2021 till the date of actual payment to him. 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 24.03.2022 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. No costs.

Sd/-

Assistant Registrar (CS-III)

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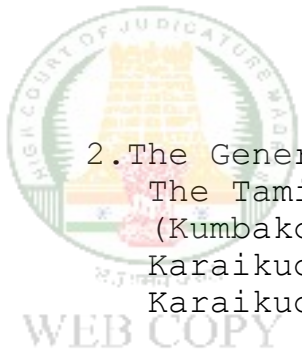
Sub Assistant Registrar(CS)

TM

TO

1.The Managing Director,
The Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd.,
New Railway Station Road,
Kumbakonam, Thanjavur District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The General Manager,
The Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi.

3.The Administrator,
The Tamil Nadu State Transport Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

+1 CC to M/s.K. JAGADEES BALAN, Advocate (SR-27339[F]
dated 22/06/2022)

+1 CC to M/s.B. SANTHANAM RAJESH KUMAR, Advocate (SR-27378[F]
dated 22/06/2022)

W.P. (MD) No.12417 of 2022
20.06.2022

nsn (CO)
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