



WP(MD)No.16238 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.07.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.16238 of 2022

P.Raju

... Petitioner

/vs./

1.The Government of Tamil Nadu,
Represented by its Secretary to Government,
Transport Department,
Fort St.George,
Chennai – 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam,
Thanjavur District.

3.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Trichy Region,
Periyamilaguparai,
Trichirapalli District.

4.The Administrator,
Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai – 600 002.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 2 and 3 to sanction the amount of pension arrears for a period from 01.06.2015 to 31.08.2018 (3 years and 3 months) and sanction the revised pension and further direct the respondents 2 and 3 to re-calculate the retirement benefits of the petitioner by taking his basic salary and other back wages before making deduction in respect of non implementable punishment of increment cut and to pay the difference amount of retirement benefits to the petitioner along with interest at the rate of 18 percent per annum within the time limit that may be fixed by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.G.Suriyananth

Additional Government Pleader(for R1)

Mr.K.Jagadees Balan,

Standing Counsel (for R2 & R3)

Mr.S.C.Herold Singh

Standing Counsel (for R4)

ORDER

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

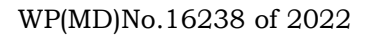


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2.The petitioner herein had given a representation to the respondents on 10.02.2022 seeking for sanction of pension arrears for a period from 01.06.2015 to 31.08.2018 (3 years and 3 months), the revised pension and re-calculation of the retirement benefits of the petitioner by taking his basic salary and other back wages, before making deduction in respect of non implementable punishment of increment cut and payment of the difference amount of retirement benefits to the petitioner along with interest at the rate of 18 percent per annum. 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.



5.With the above direction, the Writ Petition stands disposed of. No costs.

Index : Yes / No
Internet : Yes / No
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TO:

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M.S.RAMESH, J.

Sm

Order made in
W.P.(MD)No.16238 of 2022

Dated:
25.07.2022