



W.P.(MD) No.16705 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.16705 of 2022

N.V.Thamilarasan

... Petitioner

Vs.

1.The Govt of Tamil Nadu

**Rep by its Secretary, Transport Department,
Secretariat, Chennai - 600 009.**

2.The Managing Director

**Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd., Kumbakonam - 612 001,
Thanjavur District.**

3.The General Manager

**Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd., Trichy Region,
Periyamilaguparai, Trichy District.**

4.The Administrator

**Tamil Nadu State Transport Corporation
Pension Fund Trust, Thiruvalluvar Illam,
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 herein to sanction the

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revised pension amount for a period of 22 months namely from 01.11.2017 to 30.08.2019 to the petitioner by fixing pension of the petitioner as Rs.26,298/- as per month from 01.11.2017 to 30.08.2019 along with 18 percent interest per annum within the time limit that may be fixed by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.G.Suriyanath, for R1
Additional Government Pleader
Mr.K.Jagadees Balan for R2 and R3
Standing Counsel
Mr.S.C.Herold Singh for R4
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 04.02.2022 seeking to sanction the revised pension amount for a period of 22 months namely from 01.11.2017 to 30.08.2019 to the petitioner by fixing pension of the petitioner as Rs.26,298/- as per month from 01.11.2017 to 30.08.2019 along with 18 percent interest per annum. Since the said representation was not considered, the present writ petition has been filed.



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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 1 and 2 herein to consider the petitioner's representation dated 04.02.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months 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.



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

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Index : Yes / No
Speaking Order/ Non Speaking Order

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M.S.RAMESH,J.

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