



W.P.(MD).No.18334 of 2022

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 12.08.2022**

**CORAM**

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

**W.P.(MD).No.18334 of 2022**

G.Chelladurai

... Petitioner

**Vs.**

1.The Managing Director,  
Tamil Nadu State Transport Corporation (Kum) Limited,  
TNSTC Head Office,  
No.27, Railway Station New Road,  
Kumbakonam – 612 001.

2.The Administrator,  
Tamil Nadu State Transport Corporation  
Pension Fund Trust,  
Thiruvalluvar Illam,  
Pallavan Salai,  
Chennai – 02.

...Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to pay family pension arrears and remaining retirement benefits payable to the petitioner along with 6% penalty interest for delay in the light of the petitioner's representation dated 26.06.2022.



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For Petitioner : Mr.SP.Vijay Nivas  
For R-1 : Mr.K.Jagadees Balan,  
Standing Counsel.  
For R-2 : Mr.S.C.Herold Singh,  
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 26.06.2022 seeking for payment of family pension arrears and remaining retirement benefits payable to the petitioner along 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



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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 first respondent herein to consider the petitioner's representation, dated 26.06.2022, 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. There shall be no order as to costs.

**12.08.2022**

Index : Yes / No  
Internet : Yes/ No  
Lm/Rmk



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**M.S.RAMESH, J.**

Lm/Rmk

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