



W.P.(MD) No.18518 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.18518 of 2022

K.Kalangiam

... Petitioner

Vs.

**1.The Managing Director,
Tamilnadu State Transport Corpn., (KUM) Ltd.,
No.27, New Railway Station Road,
Kumbakonam.**

**2.The General Manager,
Tamilnadu State Transport Corpn., (KMB) Ltd.,
Pudukkottai Regional Office,
Pudukkottai.**

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, to direct the respondents to reimburse the recovered amount of Rs.2,45,700/- from the Gratuity on the base of the petitioner's representation dated 09.07.2021.

For Petitioner : Mr.K.Gokul

**For Respondents : Mr.K.Jagadees Balan
Standing Counsel**



W.P.(MD) No.18518 of 2022

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ORDER

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

2. The petitioner herein had sent a representation to the respondents on 09.07.2021 seeking to reimburse the recovered amount of Rs.2,45,700/- from the Gratuity. 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.



W.P.(MD) No.18518 of 2022

WEB COPY

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 09.07.2021 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.

16.08.2022

Index : Yes / No
Speaking Order/ Non Speaking Order
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W.P.(MD) No.18518 of 2022

M.S.RAMESH,J.

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W.P.(MD) No.18518 of 2022

16.08.2022