



W.P.(MD).No.19205 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.19205 of 2022

P.Kumaravel

... Petitioner

Vs.

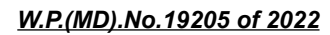
The Branch Manager,
Tamilnadu State Transport Corporation Limited,
(Madurai Division),
Bye-Pass Road,
Madurai.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to settle the salary arrears and other terminal benefits from the date of the petitioner's compulsory retirement (i.e.,) 03.05.2003 to the petitioner with 18 % interest within a time limit as stipulated by this Court.

For Petitioner : Mr.P.Gunasekaran

For Respondent : Mr.S.Gladson Micheal Rajadurai,
Standing Counsel.



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 respondent on 01.08.2022 seeking to settle the salary arrears and other terminal benefits from the date of his compulsory retirement, i.e., 03.05.2003, together 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 respondent 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.



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4. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation, dated 01.08.2022, 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.

23.08.2022

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

To

The Branch Manager,
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M.S.RAMESH, J.

Lm/Rmk

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