



W.P.(MD)No.19484 of 2022

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

**DATED : 24.08.2022**

**CORAM**

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

**W.P.(MD)No.19484 of 2022**

R.Paul George

... Petitioner

Vs.

1. The Tamil Nadu State Transport  
Corporation (Tirunelveli) Limited,  
Represented by its Managing Director,  
Tirunelveli.

2.The General Manager,  
The Tamil Nadu State Transport  
Corporation (Tirunelveli) Limited,  
Tirunelveli Region,  
Tirunelveli.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to pay difference in pension with arrears from the date of retirement to till date by taking into account the revision of his basic pay from Rs.15,060 to Rs. 17,025/- together with interest at the rate of 6% per annum payable from the date of his retirement to till the date of disbursement by considering his



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representation dated 11.05.2022.

For Petitioner : Mr.A.Rahul  
For Respondents : Mr.D.Jebaraj  
Standing Counsel

### **O R D E R**

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 11.05.2022 to pay the difference in pension with arrears from the date of retirement to till date by taking into account the revision of his basic pay from Rs.15,060 to Rs.17,025/- together with interest at the rate of 6% per annum payable from the date of his retirement to till the date of disbursement. 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



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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 second respondent herein to consider the petitioner's representation dated 11.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three 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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5. With the above direction, the Writ Petition stands disposed of.

No costs.

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Index : Yes / No

Speaking Order : Yes / No

ssb

To

1. The Tamil Nadu State Transport Corporation (Tirunelveli) Limited,  
Represented by its Managing Director,  
Tirunelveli.

2. The General Manager,  
The Tamil Nadu State Transport Corporation (Tirunelveli) Limited,  
Tirunelveli Region,  
Tirunelveli.



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

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