



**W.P.(MD) No.20396 of 2022**

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

**DATED : 30.08.2022**

**CORAM**

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

**W.P.(MD) No.20396 of 2022**

**K.Chandrasekaran**

**... Petitioner**

**Vs.**

**The General Manager,  
The Tamil Nadur State Transport  
Corporation (Kumbakonam) Ltd,  
Kumbakonam Region,  
Kumbakonam.**

**... Respondent**

**PRAYER**: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondent to settle the petitioners arrears of back wages of Rs.1,25,813/- payable to him as per the settlement dated 16.07.2005 U/s 18(1) Industrial Disputes Act 1947 along with reasonable rate of interest within the time that may be stipulated by this Court.

**For Petitioner : Mr.G.M.Xavier**

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



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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 given a representation to the respondent on 11.12.2021 seeking to settle the petitioner's arrears of back wages of Rs.1,25,813/- payable to him as per the settlement dated 16.07.2005 Under Section 18(1) Industrial Disputes Act 1947 along with reasonable rate of 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



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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 11.12.2021 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.  
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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