



WEB COPY



W.P.No.14610 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.14610 of 2016

K.G.Narayanan

...Petitioner

-Vs-

- 1.The Secretary to Government,
Transport Department,
Fort St. George, Secretariat,
Chennai - 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602.
- 3.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Kancheepuram Region,
Kancheepuram.
- 4.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

...Respondents



W.P.No.14610 of 2016

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to reckon the pensionable service as 29 years based on petitioner representation dated 12.02.2016.

For Petitioner : No Appearance

For R1 : Mr.D.Gopal,
Government Advocate

For R2 & R3 : Mr.M.Aswin

For R4 : Mr.C.S.K.Sathish

ORDER

The petitioner had given a representation to the second and third respondents on 12.02.2016 seeking for a direction to reckon his period of service as 29 years for the purpose of calculating the pensionary benefits. Since the said representation was not considered, the present writ petition has been filed.

2. 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



W.P.No.14610 of 2016

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.

3. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 12.02.2016 on its own merits and pass appropriate orders in accordance with law, within a period of six 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.

4. With the above direction, the Writ Petition stands disposed of. No costs.

31.01.2023

Index:Yes/No
Internet:Yes/No
hvk



W.P.No.14610 of 2016

WEB COPY

- To
- 1.The Secretary to Government,
Transport Department,
Fort St. George, Secretariat,
Chennai - 600 009.
 - 2.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602.
 - 3.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Kancheepuram Region,
Kancheepuram.
 - 4.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.



WEB COPY



W.P.No.14610 of 2016

M.S.RAMESH,J.

hvk

W.P.No.14610 of 2016

31.01.2023