



WEB COPY



W.P.No.6114 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.6114 of 2023

S. Ramachandran

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation Ltd.,
Coimbatore Division I,
Rep. by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore.

2.The Administrator,
Tamil Nadu Pension Trust,
Pallavan Salai,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent herein to pay interest for the delayed payments made with respect of Commutation and pension for the month of July 2018.

For Petitioner : Mr.D. Anand Raja

For Respondents : Mr.A. Sundaravadanam



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ORDER

Mr.A. Sundaravadanam, learned counsel, takes notice for the respondents. With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given representation on 05.03.2021 to the first respondent, requesting to pay the interest for the delayed settlement of commutation and one month pension. 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



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226 of the Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observation, there shall be a direction to the first respondent herein, to consider the petitioner's representation dated 05.03.2021 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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 respondents to consider the same on its own merits.

5. With the above direction, the Writ Petition stands ordered. No costs.

01.03.2023

Speaking/Non-speaking Order
Internet: Yes/No
Index: Yes/No
Neutral Citation: Yes/No

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M.S.RAMESH, J.

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To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Coimbatore Division I,
No.37, Mettupalayam Road,
Coimbatore.
- 2.The Administrator,
Tamil Nadu Pension Trust,
Pallavan Salai,
Chennai.

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