



W.P.No.9542 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.9542 of 2023

V.Karthikeyan

... Petitioner

Vs

The Administrator,
Tamil Nadu State Transport Corporation,
Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 600 002.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to disburse the difference sum of interest paid towards the belated disbursement of the petitioner's commuted value of pension with further interest at the rate of 6% per annum from the said date of entitlement to till the date of actual payment within a time limit to be stipulated by this Court.

For Petitioner : Mr.J.Lakshminarayanan

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

ORDER



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WEB COPY Heard Mr.J.Lakshminarayanan, learned counsel for the petitioner and Mr.C.S.K.Sathish, learned Standing Counsel for the respondent.

2.The petitioner herein had given a representation to the respondent on 18.07.2022 for retirement benefits. 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 him 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 the 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



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the respondent herein to consider the petitioner's representation dated 18.07.2022, on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5.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 respondent to consider the same on its own merits.

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

12.06.2023

Index:Yes/No
Speaking order/Non-speaking order
vga

To
The Administrator,
Tamil Nadu State Transport Corporation,
Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 600 002.



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M.S.RAMESH,J.

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