



WEB COPY



W.P.No.13725 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.13725 of 2023

Selvarani

... Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation,
Villupuram District.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay the arrears of pension payable for the period from 07.10.2016 to 31.07.2017 along with the interest.

For Petitioner : Mr.V. Gunasekar

For Respondents : Ms.S. Pavithra,
Standing Counsel [R1]
Mr.C.S.K. Satheesh Kumar [R2]



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ORDER

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With the consent of both the parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioner herein had given a representation to the respondents on 07.02.2023, requesting them to pay arrears of pension payable for the period from 07.10.2016 to 31.07.2017 along with the 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 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.



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4. In the light of the above observations, there shall be a direction to the respondents herein, to consider the petitioner's representation dated 07.02.2023 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.

01.06.2023

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

- 1.The General Manager,
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Villupuram District.
- 2.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Pallavan Salai,
Chennai – 600 002.

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