



WEB COPY



W.P.No.29789 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.29789 of 2023

V.Thangarajan

...Petitioner

Vs

The Managing Director,
Metropolitan Transport Corporation,
No.390, 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 dispose of petitioner's representations dated 11.04.2022, 21.09.2023, through pertaining to pension balance of Rs.35,539/- with interest period of 16.03.1995 to till date of paying the said amount to petitioner employee driver No.12312 with the respondent MTC.

For Petitioner : Mr.C.Venkatesan

For Respondent : Mr.R.Balraj
Standing Counsel

ORDER

Heard Mr.C.Venkatesan, learned counsel for the petitioner and



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Mr.R.Balraj, learned Standing Counsel for the respondent. With the consent of

both sides, the main writ petition has been taken up for final disposal.

2. The petitioner herein has given representations to the respondent on 11.04.2022 and 21.09.2023,, seeking for a direction to pay the balance pension amount of Rs.35,539/- with interest from 16.03.1995 till the date of paying the above said amount to him. Since the said representations were 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 invoking its extraordinary powers under Article 226 of 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 the



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respondent herein to consider the petitioner's representations dated 11.04.2022 and 21.09.2023 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. 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.

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

13.10.2023

Index:Yes/No

Speaking order/Non-speaking order
sr

To

The Managing Director,
Metropolitan Transport Corporation,
No.390, Pallavan Salai,
Chennai-600 002.



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M.S.RAMESH,J.,

SI

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