



W.P.No.30886 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30886 of 2023

S. Pandian

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
3/136, Salamedu,
Villupuram – 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
Kancheepuram Region,
Kancheepuram – 631 552.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Trust,
Thiruvalluvar House, 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 interest to the petitioner at the rate of 6% per annum for the belated payment of retirement benefits for the period of 30.04.2018 to 31.08.2019 i.e., 489 days on Provident Fund, Gratuity, Earned Leave, Commuted Pension and



W.P.No.30886 of 2023

other retirement benefits and last 10 days Salary, within a specified time.

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For Petitioner : M/s.S. Vasanthi

For Respondents : Mr.R. Venkatesa Perumal,
Standing Counsel [R1 & R2]

Mr.C.S.K. Sathish,
Standing Counsel [R3]

ORDER

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

2. The petitioner herein has given a representation to the first respondent on 18.09.2023, seeking for interest on the belated payment of the terminal benefits along with last 10 days salary. Since the said representation has not been considered till date, 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 them 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-



W.P.No.30886 of 2023

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 respondents herein, to consider the petitioner's representation dated 18.09.2023, 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 respondent to consider the same on its own merits.

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

31.10.2023

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

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W.P.No.30886 of 2023

M.S.RAMESH,J.

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To

- 1.The Managing Director,
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Villupuram – 605 602.
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W.P.No.30886 of 2023

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