



W.P.No.34032 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.34032 of 2017

K.Palaniappan

...Petitioner

Vs

The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem - 636 007.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pay the pension due payable to the petitioner (MHR079) with interest at 12% per annum with effect from 30.04.2016, in view of petitioner representation dated 02.11.2017 within a stipulated time.

For Petitioner : Mr.G.Peranban

For Respondent : Mr.Ilamvaludhi



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ORDER

The petitioner herein had given a representation to the respondent on 02.11.2017 seeking for payment of pension due to him, together with interest at 12% per annum with effect from 30.04.2016. Since the said representation was not considered, the present writ petition has been filed.

2. 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.

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



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02.11.2017 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 respondent to consider the same on its own merits.

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

04.01.2023

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

To

The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem - 636 007.



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M.S.RAMESH,J.

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