



W.P.No.31623 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.31623 of 2023

R.Ganesan

... 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 praying to issue a Writ of Mandamus, directing the respondent to disburse the belated payment of interest amount of Provident Fund, Gratuity and Earned Leave Salary amounts and consequently to pay other unsettled benefits of Leave Surrender for the year of 2009-2012 and 2017-2018, ERBS Pension amount and 7 days salary with effect from 01.06.2018.

For Petitioner : Mr.N.Desinghu

For Respondent : Mr.K.Raja,
Standing Counsel
ORDER



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

2. The grievance of the petitioner is that he has not been settled with certain terminal benefits after his retirement and also the interest for the belated payment of terminal benefits. In this regard, the petitioner has given a representation to the respondent on 15.09.2023. 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-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.



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4. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 15.09.2023, 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 made by 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.

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Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
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