



W.P.No.31741 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.31741 of 2023

C.Venkatesan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram – 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vellore Region, Rangapuram,
Vellore – 632 009.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to calculate the retirement benefits based on the petitioner's last pay drawn at Basic Pay of Rs.14,430/- Grade Pay Rs.4,300/- and Dearness Allowance Rs.16,857/- and consequently revise and disburse him the difference sum of retirement benefits as sought for in his representation dated 19.06.2023 with interest at the rate of 8% per annum from the said date of entitlement to till the date of actual disbursement.



W.P.No.31741 of 2023

For Petitioner : Mr.J.Lakshminarayanan

For Respondents : Mrs.Pavithra,
Standing Counsel

ORDER

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

2. The prayer sought for in this Writ Petition is to direct the respondents to disburse the difference of amount in the retirement benefits of the petitioner based on his last drawn pay. In this regard, the petitioner has given a representation to the respondents on 19.06.2023. 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



W.P.No.31741 of 2023

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.

4. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 19.06.2023, 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 made by the petitioner and that it is open to the respondents to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

06.11.2023

Index: Yes/No

Speaking order/Non-speaking order

Sni



WEB COPY



W.P.No.31741 of 2023

M.S.RAMESH,J.

Sni

To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram – 605 602.
- 2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vellore Region, Rangapuram,
Vellore – 632 009.

W.P.No.31741 of 2023

06.11.2023