



W.P.No.33388 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.33388 of 2023

K.Rajendiran

...Petitioner

Vs.

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

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

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvallurvar Illam, Anna 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



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disburse the petitioner the difference sum of interest paid towards the belated disbursement of his commuted value of pension with further interest at the rate of 6% per annum from the said date of entitlement to till the date of actual payment.

For Petitioner : Mr.J.Lakshminarayanan

For R1 & R2 : Mr.R.Venkatesaperumal
Standing Counsel

For R3 : Mr.C.S.K.Sathish
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 for a direction to the respondents to disburse the petitioner the difference sum of interest paid towards the belated disbursement of his commuted value of pension with interest from the date of entitlement to till the date of actual payment. In this regard, the petitioner had given a representation to the respondents on 06.10.2023, which is yet to be considered.



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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.

4. In the light of the above observations, there shall be a direction to the 1st respondent herein to consider the petitioner's representation dated 06.10.2023, 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 concerned respondent to consider the same on its own merits.



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M.S.RAMESH,J.

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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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To

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