



W.P.(MD).No.18384 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.18384 of 2023

K.Murugesan

... Petitioner

Vs.

**1.Tamil Nadu State Transport Corporation,
Represented by its Principle Secretary,
Fort St. George,
Chennai-09.**

**2.Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Represented by its Managing Director,
Kumbakonam Region,
27, Railway Station New Road,
Kumbakonam-612 001,
Tanjavur District.**

**3.Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Represented by its General Manager,
Kumbakonam Region,
27, Railway Station New Road,
Kumbakonam-612 001,
Tanjavur District.**



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4. Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Represented by its Assistant Manager,
(Employees & Administration),
27, Railway Station New Road,
Kumbakonam-612 001,
Tanjavur District.

5. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai-2.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to delete the petitioner's wife name Saguntala as Nominee and to add petitioner's son, namely one Kalyanaraman and his daughter namely one Vasanthamala as his Nominees in all his service register and all other official records based on the petitioner's representation, dated 06.07.2023.

For Petitioner : Mr. George Stephen Kanikkairaj

For R-1 to R-4 : Mr. K. Ramaiah
Standing Counsel

For R-5 : Mr. S. C. Herold Singh
Standing Counsel



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ORDER

The present writ petition has been filed seeking direction to the respondents to delete the petitioner's wife name Saguntala as Nominee and to add petitioner's son, namely one Kalyanaraman and his daughter namely one Vasanthamala as his Nominees in all his service register and all other official records based on the petitioner's representation, dated 06.07.2023.

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

3. The petitioner was employed as Driver by the second respondent Corporation on 14.08.1992. He voluntarily retired from service on 30.06.2022. The petitioner herein had given a representation to the respondents on 06.07.2023 requesting to delete the petitioner's wife name 'Saguntala' and to add his son name, 'Kalyanaraman' and his daughter name 'Vasanthamala' as his nominees in his Service Register and related official records by considering his physical illness as well as continues treatment. Since the said representation was not considered by the respondents, the present Writ Petition has been filed.



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4. 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.

5. This Court hereby directs the respondents to consider the representation of the petitioner, dated 06.07.2023 on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. This writ petition stands disposed of, accordingly. There shall be no order as to costs.

31.07.2023



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NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Principle Secretary,
Tamil Nadu State Transport Corporation,
Fort St. George,
Chennai-09.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region,
27, Railway Station New Road,
Kumbakonam-612 001,
Tanjavur District.
- 3.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region,
27, Railway Station New Road,
Kumbakonam-612 001,
Tanjavur District.
- 4.The Assistant Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
(Employees & Administration),
27, Railway Station New Road,
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5.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
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L.VICTORIA GOWRI, J.

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