



W.P.(MD).No.19390 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.19390 of 2023

V.R.Chandrasekaran

... Petitioner

Vs.

1.The Tamil Nadu Transport Corporation
(Kumbakonam) Limited,
Represened by its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu Transport Corporation
(Kumbakonam) Limited,
Trichy Region,
Trichy-620 001.

3.The General Manager,
Tamil Nadu Transport Corporation
(Kumbakonam) Limited,
Karur Region,
Karur.

4.The Administrator,
The Tamil Nadu State Transport Corporation
Employee's Pension Fund Trust,
Thiruvalluvar House, Anna Salai,
Chennai-600 002.

... Respondents



W.P.(MD).No.19390 of 2023

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to revise the wages of the petitioner with effect 01.09.2019 based on the 14th wage settlement dated 24.08.2022 and to pay arrears of wages payable from 01.09.2019 to 31.07.2022, difference in Leave Salary and arrears of pension from 01.08.2022 to 28.02.2023 along with the interest at the rate of 12% per annum from the date of wage settlement i.e., 24.08.2022 till the date of actual payment.

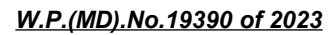
For Petitioner : Mr.D.Sivaraman

For R1-R3 : Mr.K.Jegadeesh Balan
Standing Counsel

For R4 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents herein to revise the wages of the petitioner with effect 01.09.2019 based on the 14th wage settlement dated 24.08.2022 and to pay arrears of wages payable from 01.09.2019 to 31.07.2022, difference in Leave Salary and arrears of pension from 01.08.2022 to 28.02.2023 along with the interest at the rate of 12% per annum from the date of wage settlement i.e., 24.08.2022 till the date of actual payment.



<https://www.mhc.tn.gov.in/judis>



W.P.(MD).No.19390 of 2023

his wages based on 14th wage settlement, dated 24.08.2022. However, there was no response.

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 the respondent 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 made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

4. This Court hereby directs the respondents to consider the representation made by the petitioner, dated 10.09.2022 and thereafter, revise the wages of the petitioner with effect from 01.09.2019 based on the 14th wage settlement, dated 24.08.2022 and pay the arrears of wages, difference in leave salary and arrears of pension to which he is entitled to along with interest at the rate of 6% per annum from the date of wage settlement i.e., 24.08.2022 till the date of actual payment. The said exercise shall be completed within a period of sixteen (16) weeks from the date of receipt of a copy of this order.



W.P.(MD).No.19390 of 2023

WEB COPY

5. In view of the above, this Writ Petition stands disposed of. No costs.

10.08.2023

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

gbg

To

- 1.The Managing Director,
The Tamil Nadu Transport Corporation
(Kumbakonam) Limited,
Kumbakonam.
- 2.The General Manager,
Tamil Nadu Transport Corporation
(Kumbakonam) Limited,
Trichy Region,
Trichy-620 001.
- 3.The General Manager,
Tamil Nadu Transport Corporation
(Kumbakonam) Limited,
Karur Region,
Karur.
- 4.The Administrator,
The Tamil Nadu State Transport Corporation
Employee's Pension Fund Trust,
Thiruvalluvar House, Anna Salai,
Chennai-600 002.



WEB COPY



W.P.(MD).No.19390 of 2023

L.VICTORIA GOWRI, J.

gbg

W.P.(MD).No.19390 of 2023

10.08.2023