



W.P.(MD).No.3122 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.3122 of 2024

M.Balamurugan

... Petitioner

Vs.

The General Manager,
Tamilnadu State Transport Corporation
(Madurai) Ltd.,
Madurai Region,
Madurai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to allow the petitioner to relieve him under Voluntary Retirement Scheme and pay his terminal and pension benefits payable to him based on his application dated 01.12.2023 within a time frame as may be fixed by this Court.

For Petitioner : Mr.G.M.Xavier

For Respondent : Mr.K.Ramaiah,
Standing Counsel



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ORDER

The present writ petition has been filed seeking direction to the respondent to allow the petitioner to relieve him under Voluntary Retirement Scheme and pay his terminal and pension benefits payable to him based on his application dated 01.12.2023.

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

3. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner was employed as Driver in the respondent Corporation in the year 1995 and he rendered 29 years of service. Because of his health condition, he was employed as security as alternative employment with pay protection. In the meanwhile, he submitted an application dated 01.12.2023 requesting to relieve him under Voluntary Retirement Scheme and pay his



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terminal and pension benefits payable to him. Regarding the same, no action was taken by the respondent. Hence, the present writ petition came to be filed.

4. Heard, the learned Counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondent. Carefully perused the materials available on record.

5. 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.

6. It is made clear without going into the merits of this case that this Court hereby direct the respondent to consider the representation of the



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petitioner dated 01.12.2023 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.

7. Accordingly, this Writ Petition stands disposed of. No costs.

14.02.2024

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

To

The General Manager,
Tamilnadu State Transport Corporation
(Madurai) Ltd.,
Madurai Region,
Madurai.



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L.VICTORIA GOWRI, J.

Sml

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