



W.P.(MD).No.8067 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.8067 of 2024

L.Alavudeen

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (KMB) Limited,
27, New Railway Station Road,
Kumbakonam - 612 001.

2. The General Manager,
Tamil Nadu State Transport Corporation (KMB) Limited,
Karaikudi Region, Managiri Post,
Maruthapathi, Karaikudi, Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to disburse petitioner's retirement benefits namely provident fund, Gratuity, leave salary and commutation within the stipulated time frame fixed by this Court.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.K.Ramaiah
Standing Counsel



W.P.(MD).No.8067 of 2024

WEB COPY

ORDER

The present writ petition has been filed seeking a direction to the respondents to disburse petitioner's retirement benefits namely provident fund, Gratuity, leave salary and commutation within the stipulated time frame fixed by this Court.

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 respondent Corporation in the year 1998. He retired from service on attaining the age of superannuation on 31.01.2024. Till now, his retirement benefits were not disbursed. In this regard, he made a representation to the respondents on 11.03.2024 to disburse his retirement benefits namely provident fund, Gratuity, leave salary and commutation. However, the same was not considered. Hence, this writ petition came to be filed.



W.P.(MD).No.8067 of 2024

WEB COPY

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 the respondents to consider the same within a stipulated time.

5. Considering the limited scope of the relief sought for by the petitioner, without going into the merits of the case, this Court hereby direct the respondents to consider the representation of the petitioner, dated 11.03.2024 and pass appropriate orders within a period of twelve (12) weeks, from the date of receipt of a copy of this order.



W.P.(MD).No.8067 of 2024

WEB COPY

6. With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

28.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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