



WP(MD) No.8386 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 02.04.2024**

**CORAM:**

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

**W.P.(MD)No.8386 of 2024**

P.Ramachandran

.. Petitioner

**Vs.**

1. The Tamil Nadu State Transport  
Corporation (Kumbakonam) Ltd.,  
Rep by its Managing Director,  
Kumbakonam..

2. The General Manager,  
The Tamil Nadu State Transport  
Corporation (Kumbakonam) Ltd.,  
Trichy Region,  
Trichy.

3. The Administrator,  
Tamil Nadu State Transport Corporation  
Employees Pension Fund Trust,  
Thiruvalluvar Illam,  
Pallavan Salai,  
Chennai - 02.

.. Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to settle interest at the rate of 6 percent per annum for the belated payment of the petitioner's terminal benefits including Provident Fund, Gratuity and Commuted value of Pension from the date of his retirement i.e., from 31.01.2020 to 02.06.2021, the date on which the said benefits were settled to him.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Jagadees Balan  
Standing Counsel  
for R1 and R2

: Mr.S.C.Herold Singh  
for R3

### **ORDER**

Heard Mr.A.Rahul, learned counsel appearing for the petitioner, Mr.K.Jagadees Balan, Standing Counsel appearing for the respondents 1 & 2 and Mr.S.C.Herold Singh, learned counsel appearing for the third respondent.



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2. By consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.

3. The petitioner herein had given a representation to the respondents on 29.12.2023 seeking to get interest at the rate of 6% per annum for the belated payment of the petitioner's terminal benefits including Provident Fund, Gratuity, Terminal Leave Salary and Commuted Value of Pension from the date of his retirement i.e., from 31.01.2020 to 02.06.2021, the date on which the said benefits were settled to him. Since the said representation was not considered, the present writ petition has been filed.

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



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would amount to dereliction of duty. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with direction to consider the representation of the petitioner within a specified time frame.

5. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 29.12.2023 on its own merits and pass appropriate orders in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on its own merits.



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6. With the above direction, the Writ Petition stands disposed of. No costs.

**02.04.2024**

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

PJL

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**R.N.MANJULA, J.**

PJL

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