



W.P.(MD)No.10221 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.10221 of 2024

P.Murugesan

... Petitioner

Vs.

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

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to settle the Petitioner's surrender leave salary of Rs.1,18,007/- for 63 days together with interest at the rate of 6% per annum payable from the date of his retirement to till the date of actual payment.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Ramaiah,
Standing Counsel



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ORDER

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

2. Heard Mr.A.Rahul, learned counsel appearing for the petitioner and Mr.K.Ramaiah, learned Standing Counsel appearing for the respondents.

3. The petitioner herein had given a representation to the respondents on 29.12.2023 seeking to settle the Petitioner's surrender leave salary of Rs.1,18,007/- (Rupees One Lakh Eighteen Thousand and Seven only) for 63 days together with interest at the rate of 6% per annum payable from the date of the petitioner's retirement to till the date of actual payment. 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 would amount to dereliction of duty. The failure on the part of the authority had



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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, this Writ Petition is **disposed of** with 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. No costs.

26.04.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG



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- To
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 2. The General Manager,
The Tamil Nadu State Transport Corporation
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R.N.MANJULA, J.

TSG

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