



W.P.(MD)No.11048 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.11048 of 2024

P.Senthur Pandian

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kum) Limited,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam-612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kum) Limited,
Karaikudi Region, Maruthupathi, Managiri,
Karaikudi.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to pay the petitioner's monthly pension and other retirement benefits payable to the petitioner by considering the petitioner's representation dated 03.03.2024.



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For Petitioner : Mr.P.Vijaynivas

For Respondents : Mr.K.Ramaiah,
Standing Counsel

ORDER

Heard Mr.P.Vijaynivas, learned counsel appearing for the petitioner and Mr.K.Ramaiah, learned Standing Counsel appearing for the respondents.

2. This Writ Petition has been filed seeking direction to the respondents to pay the petitioner's monthly pension and other retirement benefits payable to the petitioner by considering the petitioner's representation dated 03.03.2024.

3. The petitioner claims that he has completed twenty years of service at the time of retirement and hence, he is eligible to get monthly pension. The petitioner retired on January 2024 and the petitioner has also given a representation to release his terminal benefits along with the pension. So far the same has not been considered by the respondents. Hence, the petitioner has filed this Writ Petition.

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



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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 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 03.03.2024 on its own merits 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. 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.

03.06.2024

Index:yes/no
Internet:yes/no
Ncc : yes/no
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R.N.MANJULA, J.

TSG

To

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