



W.P.(MD)No.12982 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 16.07.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.12982 of 2021

V.Manoharan (Retired)

... Petitioner

Vs.

1.The Managing Director,
Tamilnadu State Transport Corporation Ltd.,
Madurai Zone, Bypass Road,
Madurai.

2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Dindigul Zone, Bypass Road,
Dindigul.

3.The Branch Manager,
Tamil Nadu State Transport Corporation Ltd.,
Cumbum II Branch,
Cumbum.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay the due amount of Rs.1,02,728/- to the petitioner forthwith, by disposing his representation dated 18.01.2021 and 08.07.2021.

For Petitioner

: Mr.R.Suriyanarayanan

For Respondents

: Mr.K.Ramaiah

Standing Counsel



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ORDER

This Writ Petition has been filed to direct the respondents to pay the due amount of Rs.1,02,728/- to the petitioner forthwith, by disposing his representation dated 18.01.2021 and 08.07.2021.

2.The petitioner was initially appointed as a Driver in Pandian Roadways Corporation on 01.10.1983 and thereafter, transferred to Ranimangammal Transport Corporation, in the year 1985 and having worked in the third respondent Branch, at Cumbum, he retired on attaining the age of superannuation on 31.03.2016. As far as terminal benefits are concerned, the respondents have not paid the due amount of Rs.1,02,728/-. In this regard, he has made a representation on 18.01.2021 and a reminder on 08.07.2021 to the respondents and the same was not considered. Hence, this Writ Petition came to be filed.

3.Heard the learned counsel for the petitioner, the learned Standing Counsel for the respondents and carefully perused the materials available on record.

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



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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.

5.Considering the limited scope of relief sought for by the petitioner, without going into merits of the case, this Court hereby direct the respondents to consider the representation of the petitioner dated 18.01.2021 and a reminder dated 08.07.2021 and to pass appropriate orders in accordance with law within a period of 4 weeks from the date of receipt of copy of this order.

6.Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs.

16.07.2024

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



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L.VICTORIA GOWRI, J.

Mrn

To

- 1.The Managing Director,
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