



W.P.(MD).No.12532 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.12532 of 2024

E.Govindan

... Petitioner

Vs

1. The Accountant General,
Accounts and Entitlement,
Nandhanam, Chennai - 18.
2. The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Bye-Pass Road, Madurai - 625 010.
3. The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Virudhunagar Region, Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to amend the name of the Petitioner's wife initial as G.Kaliyammal instead of K.Kaliyammal in the Pension Payment Order, Service Register and other official records, on the basis of the petitioner's representation dated 04.01.2024 within a time frame to be stipulated by this Court

For Petitioner : Mr. P.Krishnasamy



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For Respondents : Ms.S.Mahalakshmi (R1,R2)
Standing Counsel

Mr.S.C.Herold Singh (R3)
Standing Counsel

ORDER

Heard Mr.P.Krishnasamy, learned counsel for the petitioner, Ms.S.Mahalakshmi, learned Standing Counsel, for the respondents 1 & 2 and Mr.S.C.Herold Singh, learned Standing Counsel for the respondent No.3.

2.The petitioner has filed this Writ Petition for a direction to the respondents to amend the name of the Petitioner wife's initial as G.Kaliyammal instead of K.Kaliyammal in the Pension Payment Order, Service Register and other official records, on the basis of the petitioner's representation dated 04.01.2024.

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



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4. The petitioner had retired from service on 31.01.2023 by superannuation. His wife name is G.Kaliyammal. However, her initial was wrongly entered in his Service Register Book as K.Kaliyammal due to typographical error. In order to avoid future problems, he filed a representation before the respondents to amend his wife's initial. However, the same was done so far. Hence, the present writ petition has been filed.

5. 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 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



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to be given with a direction to consider the representation of the petitioner within a specified time frame.

6. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's application, dated 04.01.2024, on its own merits and pass appropriate orders in accordance with law, after making due enquiry, within a period of four 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 case or the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

7. With the above direction, this writ petition is disposed of. No costs.

13.06.2024

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



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To

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R.N.MANJULA, J.

PNM

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