



W.P.(MD).No.12537 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.12537 of 2024

M.Manoharan

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (Tvl) Ltd.,
23/2, Thoothukudi Road,
Kattabomman Nagar, Tirunelveli District - 627 007.

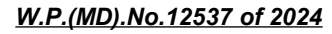
2. The General Manager,
Tamil Nadu State Transport Corporation (Tvl) Ltd.,
Nagercoil Region, Ranithottam,
Kanyakumari District.

... 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 sanction loan amount of Rs.13,00,000/- from employees contribution from petitioner's E.P.F. account within the stipulated time frame fixed by this Court.

For Petitioner : Mr. K.Gokul

For Respondents : Mr.D.Jebaraj
Standing Counsel



Heard Mr.K.Gokul, learned counsel for the petitioner and Mr.D.Jebaraj, learned Standing Counsel, for the respondents.

2.The petitioner has filed this Writ Petition for a direction to the the respondents to sanction loan amount of Rs.13,00,000/- from the petitioner's E.P.F. account

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

4. The petitioner is working as a Special Grade Driver in the respondent Corporation. For his mother's treatment, he made an application to the respondents to sanction loan amount of Rs.13,00,000/- from his E.P.F. Account No.16775. However, the respondents failed to take effective steps to disburse his loan amount. 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



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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 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 16.05.2024, on its own merits and pass appropriate orders in accordance with law, after making due enquiry, within a period of one week 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



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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

Note : Issue order copy on today (13.06.2024)

PNM

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Tvl) Ltd.,
23/2, Thoothukudi Road,
Kattabomman Nagar, Tirunelveli District - 627 007.
2. The General Manager,
Tamil Nadu State Transport Corporation (Tvl) Ltd.,
Nagercoil Region, Ranithottam,
Kanyakumari District.



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R.N.MANJULA, J.

PNM

ORDER IN
W.P.(MD).No.12537 of 2024

13.06.2024