



W.P.(MD).Nos.14536 and 14537 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).Nos.14536 and 14537 of 2021

M.Muthu

... Petitioner in W.P.(MD)No.14536 of
2021

K.Shanmugam

... Petitioner in W.P.(MD)No.14537 of
2021

Vs.

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

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

... Respondents in both writ petitions

Prayer in both writ petitions : Writ Petition filed under Article 226 of the
Constitution of India, praying this Court to issue a Writ of Mandamus,



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directing the respondents to pay the 6% interest on the delayed payment of retirement benefits paid to the petitioner in view of the petitioner's representation dated 25.06.2021.

In Both writ petitions:

For Petitioner	: Mr.S.P.Vijaynivas
For R-1	: Mr.P.Balasubramanian, Standing Counsel
For R-2	: Mr.S.C.Herold Singh, Standing Counsel

COMMON ORDER

These writ petitions have been filed seeking direction to the respondents to pay the 6% interest on the delayed payment of retirement benefits paid to the petitioner in view of the petitioner's representation dated 25.06.2021.

2. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioners are the retired employees of the Tamil Nadu State Transport Corporation (Kum) Ltd., who joined duty in the year 1987 and



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attained the age of superannuation on 30.06.2017 and 31.01.2017 respectively.

However, the retired benefits of the petitioners were not disbursed in time and the same were paid only in the month of June 2018. In view of the same, the petitioners made a representation on 25.06.2021. Since the same was not considered by the respondents, these writ petitions came to be filed.

3. Heard, the learned Counsels on either sides. 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 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.



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5. Without going into the merits of this case, this Court hereby direct the respondents to consider the petitioners' representation dated 25.06.2021 and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. Accordingly, these Writ Petitions are disposed of. There shall be no order as to costs.

12.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

1.The Managing Director,
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L.VICTORIA GOWRI, J.

Sml

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