



W.P.(MD)No.5538 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.5538 of 2025

K.Muniyasamy

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (KMB) Limited,
New Railway Station Road,
Kumbakonam – 612001.

2.The General Manager,
Tamil Nadu State Transport Corporation (KMB) Limited,
Karaikudi Region,
Managiri Post,
Maruthapathi,
Karaikudi,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to implement the dearness allowance from November 2022 and also to implement review benefits from February 2023 on the base of the petitioner's representation, dated 09.11.2024, within the time frame fixed by this Court.



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For Petitioner : Mr.K.Gokul

For Respondents : Mr.K.Jagadeesh Pandian
Standing Counsel

ORDER

Heard both sides and perused the materials available on record.

2. The petitioner was appointed as Driver in the respondent Corporation on 01.01.1994. After completion of 29 years of service, he was retired from service on 31.03.2023 as Special Grade Driver on attaining the age of superannuation. There was a dispute regarding the construction of temple in his Village. When FIR was registered in Crime No.124 of 200 on the file of the Erwadi Dharga Police Station, under Section 294 (b), 506 (ii) of IPC, the case was taken on file in C.C.No.653 of 2022 on the file of the Judicial Magistrate-II, Ramanathapuram and the petitioner, who was shown as accused was acquitted by judgment, dated 20.03.2024. Due to involvement in criminal case, the respondents not implement the dearness allowance to the petitioner for the month of November 2022 and also not implement review for the Month of February 2023. The petitioner made several representations to the respondents,



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but there is no response. His last representation is dated 09.11.2024. Against the inaction of the respondents in considering the representation of the petitioner, dated 09.11.2024, the petitioner constrained to file this writ petition.

3. Considering the facts and circumstances of the case, in our considered view, this writ petition can be disposed of at the admission stage with the consent of both parties without going into the merits of the case with a direction to the respondents to consider the representation, dated 09.11.2024 of the petitioner in accordance with law within a stipulated time to meet the ends of justice.

4. Accordingly, the writ petition is disposed of with a direction to the respondents to consider the representation, dated 09.11.2024 of the petitioner in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

03.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn

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BATTU DEVANAND, J.

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