



W.P.(MD)No.15543 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.15543 of 2025

and

WMP (MD) No.11759 of 2025

Krishnammal

: Petitioner

Vs.

1. The General Manager
Tamilnadu State Transport Corporation,
No.3/137, Salamedu,
Valuthareddy,
Vilupuram - 605 602.

2. The Branch Manager
Tamilnadu State Transport Corporation,
Vilupuram Zone,
Vilupuram District.

3. The Accounts General
AG's Office (Account) Complex,
361, Anna Salai,
Rostrevor Garden,
Teynampet,
Chennai - 600 018.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the respondents to sanction and disburse the family pension and arrears with



W.P.(MD)No.15543 of 2025

interest to the petitioner from 28.12.2021 based on the representation made by the petitioner on 22.04.2025.

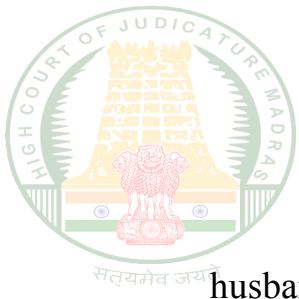
For Petitioner : Mr.P.Thirumahilmaran
For Respondents : Mr.S.C.Herold Singh
for R1 and R2
Ms.S,Mahalakshmi for R3

ORDER

This Writ Petition has been filed seeking a direction to the respondents to sanction and disburse the family pension and arrears with interest to the petitioner from 28.12.2021 based on the representation made by the petitioner on 22.04.2025.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner's case is that, following the demise of her husband's first wife in the year 1979, she married her husband on 16.11.1986. Thereafter, the petitioner's husband passed away on 28.12.2021. It is the petitioner's contention that, upon the death of her



W.P.(MD)No.15543 of 2025

WEB COPY

husband, she is legally entitled to receive his family pension. In this regard, the petitioner submitted a representation dated 22.04.2025 to the respondents, requesting sanction of the family pension. However, as no action has been taken on the said representation, the petitioner has now filed the present writ petition.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the respondents to consider the representation of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.

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 him 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 and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



W.P.(MD)No.15543 of 2025

WEB COPY

6. In the light of the above observations, there shall be a direction to the respondents to consider the petitioner's representation dated 22.04.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of one month from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

16.06.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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