



W.P.(MD)No.16480 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.16480 of 2025

V.Karunakaran

: Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport
Corporation(Madurai) Division
Bye Pass Road,
Madurai
Madurai District.

2. The General Manager,
Tamil Nadu State Transport
Corporation(Madurai) Dindigul Region,
Bye Pass Road, Dindigul.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to disburse the petitioners contribution of provident fund amount due on account of his removal from service with interest at 12 percent from the dated of the petitioners removal from service i.e. 09.08.1998 to till the dated of payment by considering his representation dated 23.04.2025.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.Michael Gladson Rajadurai



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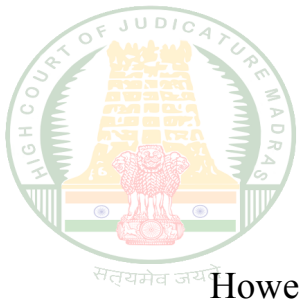
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ORDER

The writ petition has been filed for the issuance of a writ of Mandamus, directing the respondents to disburse the petitioner's contributory provident fund amount, which is due on account of his removal from service, along with interest at the rate of 12% per annum from the date of his removal from service, i.e., 09.08.1998, till the date of actual payment, by considering his representation dated 23.04.2025.

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 case of the petitioner is that he was removed from service by the second respondent vide proceedings dated 09.08.1998, on the allegation that he had misappropriated bus fare collections. As a result of such removal, he was denied all service benefits. In this regard, the petitioner submitted a detailed representation dated 05.01.2023 to the respondents, requesting disbursement of the eligible service benefits.



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However, since no action has been taken on the said representation, the petitioner has filed the present writ petition seeking appropriate relief.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the second respondent 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.

6. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's



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representation dated 05.01.2023, 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 two months 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 second respondent 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.

19.06.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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