



W.P.(MD)No.17712 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.17712 of 2025

K.Muniyandi

... Petitioner

-VS-

1.The Managing Director,
Tamil Nadu State Transport Corporation (MDU) Ltd.,
Bye-pass Road,
Madurai - 625 016.

2.The General Manager,
Tamil Nadu State Transport Corporation (MDU) Ltd.,
Madurai Region,
Bye-pass Road,
Madurai - 625 016.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take the petitioner's service period from 1980 instead of 18.03.1983 and to calculate the service period as 34 years instead of 31 years and disburse the balance difference amount of terminal benefits with interest at the rate of 6% on the basis of the petitioner's representation, dated 16.04.2025.

For Petitioner

: Mr.K.Gokul



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For Respondents : Mr.Ramachandra Pradeep
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents to reckon the petitioner's service period from the year 1980 instead of 18.03.1983, to calculate the total qualifying service as 34 years instead of 31 years and consequently, to disburse the balance amount of terminal benefits along with interest at the rate of 6% per annum, based on the petitioner's representation dated 16.04.2025.

2. The petitioner was appointed as a 'Conductor' in the respondent Corporation in the year 1980 and retired from service on 31.12.2014. The learned counsel for the petitioner submits that, while the actual date of appointment is in the year 1980, the respondents erroneously reckoned the petitioner's service period from 18.03.1983. As a result, the differential amount of terminal benefits payable to the petitioner has not been disbursed. Despite making several representations in person to the respondents, no effective action was taken. Subsequently, the petitioner submitted a written representation dated 16.04.2025, seeking redressal of the issue. However, as no action has been taken pursuant to

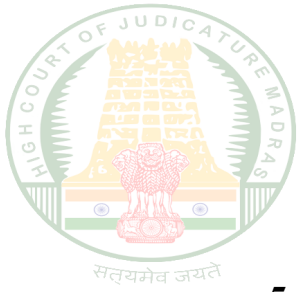


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the said representation, the petitioner is left with no alternative but to approach this Court by way of the present Writ Petition seeking appropriate relief.

3. 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.

4. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 16.04.2025, on its own merits and pass appropriate orders in accordance with law, 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 first respondent to consider the same on its own merits.



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5. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No

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Index : Yes / No

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VIVEK KUMAR SINGH, J.

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