



W.P.(MD)No.18137 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.18137 of 2025

P.Chockalingam

... Petitioner

-VS-

V.O.Chidambaram Port Trust,
Rep. by its Chairman,
Administrative Office,
Harbour Estate,
Tuticorin District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to pay the enhanced rate of monthly pension being paid to the petitioner by 17.50% with effect from 01.01.2012 in the light of the Government letter dated 20.07.2017, by considering his representation dated 08.07.2024 along with all attendant benefits and arrears together with interest at the rate of 6% per annum, within the time stipulated by this Court.

For Petitioner : Mr.S.Sathya Chidambaram

For Respondent : Mr.VR.Shanmuganathan
Standing Counsel



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ORDER

This Writ Petition has been filed seeking a direction to the respondent to pay the petitioner the enhanced rate of monthly pension increased by 17.50% with effect from 01.01.2012, in accordance with the Government letter dated 20.07.2017, by considering the petitioner's representation dated 08.07.2024, along with all attendant benefits and arrears with interest at the rate of 6% per annum, within the time frame fixed by this Court.

2. By consent, this Writ Petition is disposed of, at the admission stage itself.

3. According to the petitioner, having served continuously for 29 years in the respondent port and retired voluntarily on 01.02.1993 as Assistant Engineer (Civil), he is entitled to the enhanced pension benefits of 17.50% with effect from 01.01.2012 as per the Government of India Ministry of Shipping letter dated 20.07.2017. Despite submitting detailed representations on 08.07.2024 and a reminder on 21.10.2024, no action has been taken by the respondent to grant the enhanced pension or arrears along with interest. The petitioner, therefore, seeks issuance of a Writ of Mandamus, directing the respondent to pay the enhanced pension and all attendant benefits forthwith.



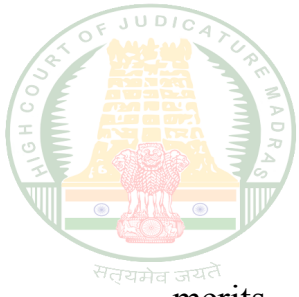
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4. Heard both sides.

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 respondent to consider the petitioner's representation dated 23.10.2024, 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 respondent to consider the same on its own



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

NCC : Yes / No
Index : Yes / No
smn2

04.07.2025

To:-

The Chairman,
V.O.Chidambaram Port Trust,
Administrative Office,
Harbour Estate,
Tuticorin District.



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VIVEK KUMAR SINGH, J.

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