



W.P.(MD).No.18706 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.07.2025

CORAM:

THE HONOURABLE **MR.JUSTICE VIVEK KUMAR SINGH**

W.P.(MD)No.18706 of 2025

1.Pokkvarathu Kazhaka Oyvupetra Aluvalar Nala Sangam, Kovai
(Regd. No 269/2011)
Rep by its Authorised Person,
Mr R. Mahendran.

2.K.Singaram

... Petitioners

-VS-

1. The Chief Secretary to Government,
Secretariat, St. George Fort,
Chennai.-600009.
2. The Additional Chief Secretary to Government,
Transport Department,
Secretariat, St. George Fort,
Chennai.-600009.
3. The Principal Secretary to Government,
Finance Department,
Secretariat, St. George Fort,
Chennai-600009.
4. The Administrator,
Tnstc Employees Pension Trust,
Thiruvalluvar House,
No.2, Pallavan Salai,
Chennai-600 002.



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5. The Managing Director,
State Express Transport Corporation (Tamil Nadu Ltd),
(Setc), Thiruvalluvar House,
No.2, Pallavan Salai ,
Chennai - 600 002.

6. The Managing Director,
M/s.Tamil Nadu State Transport Corporation
(Coimbatore) Ltd),
No.37, Mettupalayam Road,
Coimbatore -641 043.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to enhance the pension, dearness allowance and additional pension, etc., of the petitioner and the members of the petitioner Association on par with the employees of the State Government as per Rule 2(w) of the Tamil Nadu State Corporation Pension Trust Rules and by considering the petitioner's representation dated 10.02.2025 a period that may be stipulated by this Court.

For Petitioners : Mr.H.Mohammed Imran

For Respondents : Mr.K.Balasubramani (R1 to R3)

Special Government Pleader

Mr.S.C.Herold Singh (R4)

Mr.K.Senthilkumar (R5)

Mr.K.Ramaiah (R6)



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ORDER

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This writ petition has been filed seeking a direction to the respondents to enhance the pension, dearness allowance and additional pension, etc., of the petitioner and the members of the petitioner Association on par with the employees of the State Government as per Rule 2(w) of the Tamil Nadu State Corporation Pension Trust Rules and also by considering the petitioner's representation dated 10.02.2025 within a period that may be stipulated by this Court.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. According to the petitioners, they were serving as employees of various Transport Corporation. During their service in the Corporation, the Government intended to introduce a new pension scheme and circulated option form also. Most of the employees opted new pension scheme. The retired employees are to be paid on par with the Government / TNEB employees as per new pension scheme. Hence, the petitioners made a representation made a representation to the respondents dated 10.02.2025,



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seeking the said relief. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. 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.

5. In the light of the above observations, there shall be a direction to the third respondent to consider the petitioners' representation dated 10.02.2025 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 respondents to consider the same on its own merits.



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

10.07.2025

NCC : Yes/No
Index : Yes / No
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TO:-

1. The Chief Secretary to Government,
Secretariat, St. George Fort,
Chennai.-600009.
2. The Additional Chief Secretary to Government,
Transport Department,
Secretariat, St. George Fort,
Chennai.-600009.
3. The Principal Secretary to Government,
Finance Department,
Secretariat, St. George Fort,
Chennai-600009.



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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.18706 of 2025

Dated:
10.07.2025